

AN  
ABRIDGMENT  
OF SEVERAL  
Acts and Clauses of Acts of Parliament,  
Relating to the  
TRADE and NAVIGATION  
OF

*Great Britain*

To, from, and in the *British* Plantations in *America*,  
And to the Duty of the GOVERNORS, and others His Majesty's Officers in the said Plantations.



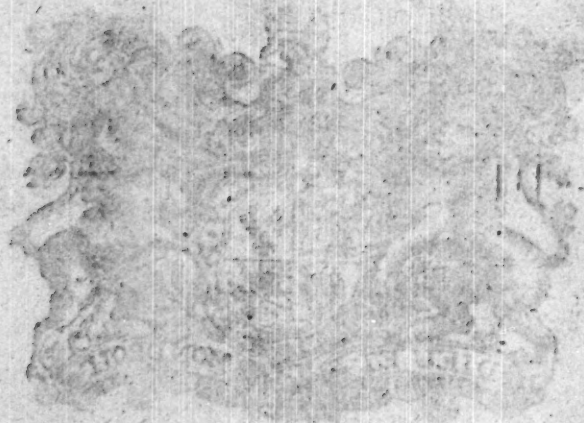
L O N D O N:  
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Excellent Majesty. MDCCXXXIX.

ABRIDGMENT

OF THE

TRADE AND NAVIGATION

OF GREAT BRITAIN



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# AN ABRIDGMENT

OF SEVERAL

Acts and Clauses of Acts of Parliament,

Relating to the

TRADE and NAVIGATION of *Great Britain*

To, from, and in the *British* Plantations in *America*, &c.

Coffee.

Stat. 5. Geo. II. cap. 24. § 1.

**C**OFFEE of the Growth of the *British* Plantations in *America*, shall, in lieu of the inland Duty of two Shillings per Pound, pay an inland Duty of one Shilling and six Pence per Pound *averdupois*.

§ 2. The said Duty shall be applicable to the Uses declared in the Act 10 Geo. I. cap. 10. and subject to the Rules thereby directed.

§ 3. No Coffee shall be suffered to be put on board any Ship in *America*, until the Planter, or his known Agent, shall make Oath before two Justices,

that the same is of the Growth of such Planter's Plantation; which Oath shall be produced to the Collector and naval Officer by the Person who shall enter such Coffee; and such Person shall likewise make Oath, that the Coffee is the same that is mentioned in such Oath of the Planter; and the Collector and naval Officer are required to deliver a Certificate of such Affidavit or Affirmation to the Commander of such Ship, on board which the said Coffee is to be shipped; and the Master of such Ship shall make Oath, that he has received such Coffee on board, and that he has no other Coffee, and that he will not take any more Coffee on board before his Arrival in *Great Britain*, and making a Report

6 *An Abridgment of several Acts of Parliament, relating*

Report of his Lading there; for which Affidavit or Affirmation, and Certificate, the naval Officer shall receive five Shillings; and all Certificates of such Affidavits or Affirmations shall, by the Commander of such Ship, be produced to the Collector of the Customs, at the Port where such Ship shall unlade; and the Master shall deliver to such Collector a Certificate of the naval Officer of the Place where such Coffee shall have been shipped, testifying the particular Quantities of such Coffee, and of which such Proofs shall be made, and Weights of each Package; and the said Master shall likewise make Oath, that the Coffee in the Certificate mentioned, was taken on board as in the Certificate, and that after his Departure he did not take on board any Coffee, and that all the Coffee on board his Ship is mentioned in the said Certificate; and upon Entry of such Coffee at the Custom-house, and paying the Duties, a Mark shall be set on every Parcel, and be lodged in a Warehouse; and the Importer shall deliver to the Collector the Certificate of the Affidavit of the Growth of the said Coffee, together with the said Oath, and the Oath made by the Planter, as also the Certificate of the Package, Marks, and Numbers of the Coffee.

§ 4. No Commander of any Ship shall take in at *America*, or at Sea, or shall land in any of the said Plantations any Coffee of the Growth of any Foreign Country, except such as shall be exported from *Great Britain*, on Pain of forfeiting such Coffee, and the Sum of Two hundred Pounds, and shall likewise suffer twelve Months Imprisonment; and what shall be recovered in *Europe*, shall be paid, one Moiety to His Majesty, and the other to the Person who shall sue for the same; and what shall be recovered in the Plantations, shall be divided, one third to His Majesty, one third to the Governor, and the other third to the Person who shall sue for the same.

§ 5. If any Person shall falsly make Oath, and thereof be convicted in any of His Majesty's Courts of Record in *Great Britain*, or in any of the Courts of Admiralty in the Plantations, where such Offence was committed, such Person shall forfeit Two hundred Pounds, and be imprisoned for twelve Months; and if any Person shall forge a Certificate of the said Oath, or shall publish such Certificate, and be convicted in any of the Courts aforesaid, such Person shall forfeit Two hundred Pounds; one Moiety to His Majesty, and the other Moiety to the Person who shall sue for the same.

Coin.

*Stat. 6 Ann. cap. 30. § 1.*

Whereas Her Majesty, by Proclamation, hath thought fit to settle the Currency of Foreign Coins in Her Colonies and Plantations in *America* in Manner following; viz. The principal Officers of the *Mint* having laid before Her Majesty a Table of the Value of several Foreign Coins, which usually pass in Payment in the said Plantations, according to their Weight and Essays made in the said *Mint*, shewing the just Proportion each Coin ought to have to the other; viz.

*Sevil* Pieces of Eight, old Plate, 17 Penny weight, 12 Grains, four Shillings and six Pence.

*Sevil* Pieces of Eight, new Plate, 14 Penny weight, three Shillings and seven Pence Farthing.

*Mexico* Pieces of Eight, 17 Penny weight, 12 Grains, four Shillings and six Pence.

*Pillar* Pieces of Eight, 17 Penny weight, 12 Grains, four Shillings and six Pence three Farthings.

*Peru* Pieces of Eight, old Plate, 17 Penny weight, 12 Grains, four Shillings and five Pence.

*Cast-dollars*, 18 Penny weight, four Shillings and four Pence three Farthings.

*Duca-*



*Ducatoons of Flanders*, 20 Penny weight, 21 Grains, five Shillings and six Pence.

*Ecu's of France*, or *Silver Lewis*, 17 Penny weight, 12 Grains, four Shillings and six Pence.

*Crusadoes of Portugal*, 11 Penny weight, 4 Grains, two Shillings and ten Pence Farthing.

Three Guilder-piece of *Holland*, 20 Penny weight, 7 Grains, five Shillings and two Pence Farthing.

Old *Rix-dollar* of the *Empire*, 18 Penny weight, 10 Grains, four Shillings and six Pence.

The Halfs, Quarters, and other Pieces, in Proportion to their Denomination; and light Pieces in Proportion to their Weight.

Her Majesty, by Advice of Her Council, did declare no *Sevil*, *Pillar*, or *Mexico* Pieces of Eight, though of the full Weight of 17 Penny weight and an Half, shall be counted, taken, or paid in any the said Plantations above the Rate of six Shillings per Piece, for the Discharge of any Contract; the Halfs, Quarters, and other less Pieces of the same Coins, in the same Proportions; and all other Foreign Species of the same or baser Alloy, shall stand regulated according to Weight and Fineness, in Proportion to the Rate set for Pieces of Eight of *Sevil*, *Pillar*, and *Mexico*; and no Foreign Coin to exceed that Proportion.

§ 2. It is enacted, That if any Person within any the said Plantations shall, for the Discharge of any Contracts to be thereafter made, account, take, or pay any the Species of Foreign Silver Coins, mentioned in the recited Proclamation, at any higher Rate, such Person shall suffer six Months Imprisonment without Bail, and forfeit Ten Pounds for every such Offence; one Moiety to the Queen, the other to the Person suing; to be recovered by Action of Debt, Bill, Plaint, or Information in any Her Majesty's Courts of Justice, or in any Courts of Ju-

stice of the Proprietary Government where the Offence is committed.

§ 3. Proviso, That nothing in the Proclamation, or this Act, shall compel any Person to receive any the said Species at the Rates in the Proclamation mentioned.

§ 4. Proviso, That nothing herein shall restrain Her Majesty from settling the Rates of the said Foreign Coins in any the said Plantations, in such Manner as Her Majesty by Her Royal Proclamation to be issued shall judge necessary, or from giving Her Royal Assent to any Law to be made in any the said Plantations, for settling the Rates of such Coins within the said Plantations.

### Customs.

Stat. 13 & 14. Car. II. cap. 11. § 3.

No Persons taking Charge of any Vessel outward bound, having Commission from, or belonging to the King of *England*, or any Foreign Prince or State, or otherwise, shall take in any *English* Goods, till they have entered such Vessel in the Book of the Commissioners, Customer, and Comptroller outwards of the Port, where, &c. the Name of the Captain, or Master, Burthen of the Vessel, Number of Guns and Ammunition, and to what Port she intends to sail; and before they depart, they shall bring to such Customer, &c. a Content under their Hand of the Names of every Lader, with the Marks and Numbers of Goods, and shall, in the open Custom-house, upon Oath, to the best of their Knowledge, answer the Questions to be demanded by Persons appointed to manage the Customs, &c. concerning such Goods, on Pain of forfeiting One hundred Pounds.

§ 4. Officers of the Customs may enter any Vessel, and bring on Shore all Goods prohibited and uncustomed, except Jewels, if outward bound; and if inward bound, may bring into the King's

King's Store-house all Goods found in any small Package or secret Place in or out of the Hold; and all Goods for which the Duties of Tonnage and Poundage were not paid or compounded for within twenty Days after the first Entry of the Ship, there to remain till the King's Duty is satisfied, unless they see Cause to allow a longer Time. If any Master, Purser, &c. suffer any Package to be opened, and the Goods embezzled, or put into any other Package after the Ship comes into the Port, he shall forfeit One hundred Pounds.

§ 5. If any concealed Goods are found after clearing, for which the Duties due upon Importation have not been paid, the Master, or other Person, taking Charge of such Vessel, shall forfeit One hundred Pounds; and any Person, authorized by Writ of Assistance under the Exchequer Seal, may take a Constable, or other Officer, and enter any House, or other Place, and in Case of Resistance, break open Doors, Trunks, &c. and seize and bring Goods prohibited and uncustomed into the King's Store-house.

§ 6. No foreign built Ship shall enjoy the Privilege of a Ship belonging to *England* or *Ireland*, except such as shall be condemned as Prize; all Persons that shall resist, abuse, beat, &c. any of the said Officers, or their Deputies, in the Execution of their Office, shall, by the next Justice of Peace, or other Magistrate, be committed to Prison till the next Quarter-sessions, to be fined not exceeding One hundred Pounds, and to remain in Prison till discharged by Order of the Exchequer, or till they discover who set them to work.

§ 8. Officers making false Certificates of Goods that should have been landed, shall lose their Employment, and be incapable of any Place of Trust concerning the Customs, and liable to such Corporal Punishment as the Court of Exchequer shall think fit; Persons counterfeiting, razing, or falsifying

any Cocket, Certificate, or Return, Transire, or other Custom-house warrant, shall forfeit One hundred Pounds, and the Cocket, &c. shall be void.

§ 9. If any Goods, for which Subsidy or Custom is payable, shall be secretly conveyed on board any Vessel, and escape Discovery by the Officers of the Customs, and be carried beyond Sea, the Owners of them; or others that shipped them, shall forfeit double their Value, computed according to the Book of Rates, except for Coal, which so secretly exported, shall pay double the Duty; to be levied as by the Act of Tonnage and Poundage is directed.

§ 10. Merchants and others, passing Goods inwards or outwards, shall, by themselves or their Agents, subscribe one Bill of every Entry, with the Mark, Number, and Contents or Weight of the said Goods, without which no Entry shall pass; and no Children of Aliens, under the Age of twenty one Years, shall be Traders, nor Goods entered in their Names.

§ 11. In Suits upon any Law concerning Tonnage and Poundage, or Ships or Goods to be forfeited, by Reason of any unlawful Importation or Exportation, there shall be no Parity Jury.

§ 12. Merchants and others, having Allowances inwards, shall, upon Oath, by themselves or their Factors, receive the Money due upon Debentures for such Foreign Goods exported by such Certificate, with such Allowances as were made them upon the Importation; and if they ship out less than is expressed in their Certificate, the Goods therein mentioned, or their Value, shall be forfeited, and the Owner receive back no Part of the Subsidy for them; and Goods so shipped out, and landed again within the Realm, unless to save them from perishing, shall be forfeited, or the Value of them, and no Allowance made for them.

§ 14. The



§ 14. The King may, from Time to Time, by Commission out of the Exchequer, appoint Places (except the Town of *Hull*) for discharging or shipping Goods, and to what Ports such Place shall appertain; and where any such Place shall be appointed, the Customer, Collector, Comptroller, and Searcher of the head Port, their Deputy or Deputies, shall reside there; and by virtue of the said Commissions, may appoint the Limits of every Port, Haven, or Creek: And no Goods shall be put into any Vessel to be exported (Fish taken by the King's Subjects, Sea-coal, Stone, and Bestials only excepted) or laid on Land, to be imported (Fish taken by the King's Subjects, Bestials, and Salt only excepted) by way of Merchandize, but upon such open Place, without Leave from the Officers of the Customs, on Pain to forfeit all such Goods.

§ 15. No Ship or Goods shall be seized as forfeited, for unlawful Importation or Exportation, or Non-payment of any Customs or Subsidies, but by the Officers of the Customs, or by Warrant from the Lord Treasurer, or Under Treasurer, or by special Commission under the Great Seal or Privy Seal; and Seizures by others shall be void.

§ 16. In every Suit wherein any Officers of the Customs, or Persons authorized to put in Execution the Act of 12 Car. II. cap. 18. for encouraging Navigation, or others acting in Aid of them, shall be prosecuted, they may plead the general Issue, and give this or the said Act in Evidence.

§ 17. If any Officer shall prosecute to Effect the Ships and Goods by him seized or informed against, the Persons managing the Customs, or Officers of the Customs, or others deputed by them, or authorized by the Lord Treasurer, or Under Treasurer, may make Seizure, or inform against such Goods, or bring his Action by *Devenerunt*; and shall have the Benefit of Inform-

§ 18. No Informer or Seizer shall compound under one third of the appraised Value, upon Loss of his Office.

§ 19. If any, employed about the Customs and Subsidies, take any Bribe, or connive at any false Entry, they shall forfeit One hundred Pounds, and be incapable of any Employment under the King; and the Person giving such Bribe, shall forfeit fifty Pounds.

§ 20. Persons offending as aforesaid, that shall reveal their Offence in two Months time to the Treasurer of *England*, the Chancellor, Under Treasurer, or Barons of the Exchequer, shall be discharged.

§ 21. Foreign Goods permitted to be landed by Bills at Sight, &c. shall be landed where the Managers of the Customs, Customer, Collector, or Comptroller shall appoint; and there, or in the King's Store-house, at their Election, shall be measured, weighed, and numbered by and in the Presence of the Officers to be thereto particularly appointed; who shall perfect the Entry, and subscribe their Names, and the next Day give an Account to them that manage the Customs, the Customer, or Collector, and Comptroller, without Cause to be allowed by them, or shall forfeit One hundred Pounds.

§ 31. One Moiety of all the Forfeitures by this Act, shall be to the King, the other to the Informer.

§ 32. Officers belonging to the Admiralty, Commanders of Ships, Castles, and Block-houses, and all the King's Officers and Subjects, shall be assisting to the Officers of the Customs, and their Deputies, in the Execution of this Act.

§ 33. None shall be employed about the Customs, till they have taken an Oath for the faithful Execution of their Employments; and the Commissioners and principal Officers in the Port of *London*, and the principal Officers in other Ports, or two of them, may administer such Oath, and cause

it to be registered in the respective Custom-house.

§ 34. If any Person employed in the Customs, demand or take greater Sums than are due by Law, or put any Merchant or other out of his Turn, without Order before, or Approbation after, from the Persons appointed to manage the Customs, or the superior Officers for the same, or illegally detain the Goods of any, or neglect to make Repayments and Allowances, or after Notice do not give out or execute his Warrant, he shall be liable to double Costs and Damages.

*Stat. 5. Geo. I. cap. 11. § 1.*

It is enacted, That if any Foreign Brandy, Arrack, Rum, Strong-waters, or Spirits whatsoever, shall be imported into *Great Britain* in any Vessel under the Burthen of fifteen Tons (except only one Gallon for each Seaman belonging to such Vessel) every such Vessel, with all her Tackle, &c. or the Value thereof, shall be forfeited, and may be seized by any Officer of the Customs, and proceeded against and recovered in the Manner hereafter mentioned; and after Seizure and Condemnation, the principal Officers of the Customs, in the Place where the same shall be, are to cause such Vessel to be broke up, and the Materials to be sold, together with the Tackle, &c. and the Produce thereof to be divided, as hereafter mentioned.

§ 2. If any Rum shall be imported into *Great Britain* in any Cask not containing twenty Gallons, except only for the Seamen's Use, such Rum shall be forfeited; but if it shall appear to the principal Officers of the Customs at the Port of Importation, that such Rum was for the Use of the Master or Seamen, or imported by Merchants, without Fraud or Concealment; then the said Officers may admit such Rum to an Entry, and cause the Duties thereof to be accepted instead of the Forfeiture.

### Debts.

*Stat. 5. Geo. II. cap. 7. § 1.*

In any Suit depending in any Court of Law or Equity in the Plantations, for any Debt or Account, wherein any Person residing in *Great Britain* shall be a Party, it shall be lawful for the Plaintiff or Defendant, and for any Witness to be examined in such Suit, to prove any Matter by Affidavit or solemn Affirmation, before any Mayor or chief Magistrate of the City or Town in *Great Britain*, where, or near which the Person making such Affidavit or Affirmation shall reside, and certified under the common Seal of such City or Town, or the Seal of the Office of such Mayor or chief Magistrate; and every Affidavit or Affirmation so made and certified, shall be allowed to be of the same Force, as if the Persons making the same had appeared and sworn, or affirmed the Matters contained in such Affidavit or Affirmation, *viva voce*, in open Court, or upon a Commission.

§ 2. In all Suits, by or in Behalf of His Majesty, in any of the said Plantations, for any Debt or Account, His Majesty may prove His Debts and Accounts, and examine His Witnesses by Affidavit or Affirmation, in like Manner as any Subject.

§ 3. If any Person making such Affidavit or Affirmation, shall be guilty of falsely and wilfully swearing or affirming any Matter, which, if the same had been sworn upon an Examination in the usual Form, would have amounted to wilful and corrupt Perjury; every Person so offending, shall incur the same Penalties and Forfeitures, as by the Laws of this Realm are provided against wilful and corrupt Perjury.

§ 4. The Houses, Lands, Negroes, and other real Estates, situate within any of the said Plantations, belonging to any Person indebted, shall be liable to all just Debts and Demands, and



and shall be Assets in like Manner as real Estates are by the Laws of *England* liable to the Satisfaction of Debts due by Bond, and shall be subject to the like Remedies in any Court of Law or Equity in the said Plantations, in like Manner as personal Estates in the Plantations are.

East India.

Stat. 5. Geo. I. cap. 21. § 1.

If any of His Majesty's Subjects shall sail, go, or repair to, or be in the *East Indies*, where any Trade or Traffick of Merchandize is or may be used or had, or any of them, contrary to the Laws now in being, or to the Tenor of this Act, every Person so offending shall be liable to such Punishment, as by any Law now in being may be inflicted for such Offence.

§ 2. It shall be lawful for the united Company trading to the *East Indies*, and their Successors, to arrest and seize such Persons, being Subjects of the Crown of *Great Britain*, at any Places, or where they shall be found within the Limits aforesaid, and to send to *England*, there to answer for the said Offence according to due Course of Law.

§ 3. Every Person who shall procure, solicit for, obtain, or act under any Commission, Authority, or Pass from any Foreign Prince, State, or Potentate, to sail or trade in or to the *East Indies*, or any the Parts aforesaid, shall forfeit Five hundred Pounds.

§ 4. The said Penalties and Forfeitures may be sued for in any Court of Record at *Westminster*, by Bill, &c. wherein no *Essoign*, &c. nor more than one Imparance, shall be allowed; one Moiety to the Informer, the other to the Crown.

§ 5. Nothing in this Act shall extend to restrain or prejudice such Trade or Right of Trade or Navigation within any the said Limits, as the *South Sea Company* are intitled unto.

Stat. 7. Geo. I. cap. 21. § 1.

If at any Time any of His Majesty's Subjects shall sail, go, or repair to, or shall trade, traffick, or adventure in, to, or from the *East Indies*, contrary to any Law now in being; it shall be lawful for the Attorney-general, or for the united Company, at any Time within the Space of six Years, to file in any of the Courts at *Westminster* one or more Informations against such Offenders; and if the Party, Defendant to such Information, shall be found guilty thereof, the Court shall forthwith proceed to give Judgment against him, by such Fine and Imprisonment, or either of them, as the said Court shall think fit, and shall award the Prosecutor his full Costs; but if the Defendant be acquitted, the Company shall pay him his full Costs.

§ 2. All Contracts and Agreements made or entered into by any of His Majesty's Subjects, or by any in Trust for them, on the Loan Monies, by way of a Bottomry, on any Ship in the Service of Foreigners, and bound to the *East Indies*, &c. and all Contracts for loading or supplying any such Ship with a Cargo of any sort of Goods, Merchandize, Treasure, or Effects, or Provisions, Stores, or Necessaries; and all Copartnerships entered into, relating to any such Voyage, or the Profits thereof, and all Agreements for the Wages of Persons serving on board any such Ship to be employed in such Voyage, shall be void.

§ 3. Every Person, Subject of His Majesty, who shall go to the *East Indies*, &c. contrary to the Laws now in being, shall be deemed a Trader, and all the Goods there bartered or purchased by any such Offender, or found in his Custody, or in the Custody of any other in Trust for him, by his Order or Procurement, shall be forfeited, and double the Value.

§ 4. All

§ 4. All the Goods shipped on board any Ship bound for the *East Indies*, &c. (except the Goods of the Company, or such as are licensed by them) and all the Goods taken out of the Ship, in her Voyage homeward from the *East Indies*, before her Arrival here, shall be forfeited, and double the Value; and the Master, or other Officer of such Ship, knowingly permitting such Goods to be shipped, or taken out of such Ship, shall forfeit for every Offence One thousand Pounds, and shall not be intitled to any Wages; nor shall the Company be obliged to pay any Wages to, or to the Use, or on Account of such Master, &c. but shall have an Allowance or Deduction in Respect thereof, out of the Monies payable by them on Account of the Ship, to which such Master, &c. belonged.

§ 5. It shall be lawful for the Attorney-general to exhibit Bills of Complaint in the Exchequer against any Person trading, dealing, trafficking, or adventuring to or from the *East Indies*, &c. contrary to Law; or against any Persons concerned as Agent, Factor, or Copartner with such illegal Traders, for Discovery of such their Trading, &c. and for Recovery of the Duties and Damages herein after mentioned; waving or disclaiming in every such Bill all the Penalties and Forfeitures incurred by such Persons, for the Matters in such Bill contained; and such Persons shall answer the said Bills, and not plead or demur to the Discovery thereby sought, and pay to His Majesty the Customs of the Goods arising or purchased by the said unlawful Trade, and shall answer to the Company thirty Pounds *per Cent.* according to the Value thereof in *England*; and if such Offenders pay the Customs into His Majesty's Exchequer, and Damages to the Company, they shall not be prosecuted on any other Law for the same Offence; and if such Bills (if exhibited at the Relation of the Company) be dismissed by the Court, the Company shall

pay Costs; and if a Decree be obtained against the Defendants, they shall pay Costs to His Majesty, and the Relator respectively.

§ 6. All the Forfeitures and Penalties herein before appointed, or in 9 *W. III. cap. 44.* or in 6 *Ann. cap. 3.* or in 5 *Geo. I. cap. 21.* relating to the *East India* Company, shall be sued in any Court of Record at *Westminster*, by Bill, &c. at the Suit of the Attorney-general, or of the said Company, or of any Officer of the Customs; and one third Part of all such Penalties shall be to the Crown, one other Third to the Company, and the remaining Third to the Use of such Officers of the Customs, as shall inform and sue, as aforesaid; in which Suits no Essoign, &c. shall be allowed, or more than one Imparance.

§ 7. Before any Suit shall be commenced, for the Recovery of any the Penalties aforesaid, by any Officer of the Customs, he shall first go to the Court of Directors of the united Company, and make known to them the Offences committed, and his Intentions to sue and prosecute for the same; and if the said Court shall elect to have the Suit brought by Bill of Complaint, to be filed in the Court of Exchequer, with Waiver and Disclaimer of the Penalties as aforesaid; then such Bills shall be filed and prosecuted in the Name of the Attorney-general; and thereupon the Company shall pay to such Officer one quarter Part of the Monies recovered on such Suit, and the Company shall bear the Charges thereof; but if the Court of Directors shall elect to have the Suit commenced by Information, or Action of Debt, then the Officer shall sue for the same at Law; and the Informations, &c. shall not be discontinued, but with the Consent of the Company, or their Court of Directors.

§ 8. This Act shall not subject the Company of Merchants trading into the *Levant* Seas, or any Member thereof, to answer any such Bill, or to any other



other Penalties hereby enacted, in respect of their trading into those Seas.

§ 9. No Commodities of the Growth, Product, or Manufacture of the *East Indies*, shall be imported into *Ireland*, the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark*, or *Man*, or to any the Plantations in *Africa* or *America*, belonging to the Crown of *Great Britain*, in Ships navigated according to the Laws now in being, on Penalty of forfeiting all such Goods, or the Value thereof, together with the Ship, with all her Guns, Tackle, &c. and such Ship and Goods may be seized, and prosecuted in any Courts of Record in *Westminster* or *Dublin*, or in any Courts in such Islands, &c. where the Offence shall be committed, by Bill, Plaint, &c. wherein no *Essoign*, &c. shall be allowed, nor more than one Imparance; one Moiety of the Forfeiture to the Crown, the other to the Prosecutor; except such Offence be committed in any of the Plantations in *Africa* or *America*, in which Case one Third of the Forfeiture shall be to the Crown, one Third to the Governor of the Land, Island, Colony, or Place where the Offence shall be committed, and the other Third to the Informer; and if any Officer of the Customs in *Ireland*, or in the said Lands, Islands, &c. shall connive at the fraudulent Importation of such Commodities; or if any such Officer shall take upon him to seize any of the said Commodities; and shall, by Fraud, or Collusion, desist or delay the Prosecution thereof to Condemnation, he shall forfeit Five hundred Pounds; to be sued for and recovered in Manner aforesaid; one Moiety to the Crown, the other to the Prosecutor; and such Officer shall be incapable of holding any Employment under His Majesty.

§ 10. The Times for Exportation of all Goods and Merchandizes of His Majesty's Plantations, and all other Foreign Goods, as the same are now limited by Law, shall be extended and enlarged; so that where Repayments

or Drawbacks are made upon the Exportation of such Goods imported, and afterwards exported, all Merchants and Traders, &c. shall be allowed three Years Time, from the Importation thereof, to export the same, accounting from the Master's Report of the Ship; and such Merchants, &c. shall have the like Repayments, &c. as if the same had been exported within the Times limited by any Law now in being: Provided, That Certificate and Oaths be made, and all other Requisites performed, according to the Laws now in being relating to the Importation or Exportation of such Goods.

The foregoing Act is revived by an Act of 5. Geo. II. cap. 29. for seven Years, from the first of May, One thousand seven hundred and thirty two, and to the End of the next Session of Parliament.

#### Felons.

Stat. 4. Geo. I. cap. 11. § 1.

It is enacted, That where any Persons shall be convicted of grand or petit Larceny, or any felonious stealing of Money, or Goods and Chatties, either from the Person or the House of any other, or in any other Manner, and who by Law shall be intitled to the Benefit of Clergy, and liable only to the Penalties of burning in the Hand, or whipping (except Persons convicted for receiving or buying stolen Goods, knowing them to be stolen) it shall be lawful for the Court, before whom they were convicted, or any Court held at the same Place with like Authority, instead of ordering such Offenders to be burnt in the Hand, or whipped, to order that they, as also such Offenders in any Workhouse, as aforesaid, shall be sent to some of His Majesty's Plantations in *America* for seven Years; and that Court, before whom they were convicted, or any subsequent Court, held

at the same Place with like Authority as the former, shall have Power to transfer and make over such Offenders, by Order of Court, to the Use of any Persons, and their Assigns, who shall contract for their Performance of such Transportation for seven Years: And where any Persons have been convicted, or do now stand attainted of any Offences, for which Death by Law ought to be inflicted; or where any Offenders shall hereafter be convicted of any Crimes, for which they are by Law to be excluded the Benefit of Clergy, and His Majesty shall extend Royal Mercy to such Offenders, on Condition of Transportation to any Part of *America*, and such Intention of Mercy be signified by one of the principal Secretaries of State; it shall be lawful for any Court, having proper Authority, to allow such Offenders the Benefit of a Pardon under the Great Seal; and to order the like Transportation to any Person, who will contract for the Performance, and to his Assigns, of any such Offenders, as also of any Person convicted of receiving or buying stolen Goods, knowing them to be stolen, for the Term of fourteen Years, if such Condition of Transportation be general, or else for such other Term as shall be made Part of such Condition, if any particular Time be specified by His Majesty; and the Person contracting, or their Assigns, shall, by virtue of such Order of Transfer, have a Property in the Service of such Offenders for such Terms of Years.

§ 2. If any such Offender, so ordered to be transported for any Term of seven or fourteen Years, or other Time, shall return into *Great Britain* or *Ireland* before the End of his Term, he shall be liable to be punished as any Person attainted of Felony, without Benefit of Clergy, and Execution shall be awarded accordingly: Provided nevertheless, That His Majesty may at any Time pardon and dispense with such Transportation, and allow of the

Return of any such Offender, he paying his Owner such Sum of Money, as shall be adjudged reasonable by any two Justices residing within the Province where such Owner dwells: And where any such Offender shall be transported, and shall have served his Term, such Service shall have the Effect of a Pardon for that Crime for which he was so transported.

§ 3. Every Person to whom any such Court shall order any Offenders to be transferred, before any of them shall be delivered over to him or his Assigns, to be transported, shall contract with such Person as shall be appointed by such Court, and give Security that he will transport, or cause to be transported, such Offenders to some of His Majesty's Colonies in *America*, as shall be ordered by the said Court; and procure a Certificate from the Governor or chief Custom-house Officer of the Place (which Certificate they are hereby required to give forthwith without Fee) of the landing of such Offenders (Death, and the Casualties of the Sea excepted) and that they shall not be suffered to return from the said Place to *Great Britain* or *Ireland*, by the wilful Default of the Person so contracting, or of his Assigns.

§ 4. Wherever any Person taketh Money or Reward, directly or indirectly, under Pretence of helping any Person to stolen Goods, he shall (unless he apprehends the Felon, and causes him to be brought to Trial, and gives Evidence against him) be guilty of Felony, and suffer the Penalties, according to the Nature of the Felony committed in stealing such Goods, and in the same Manner as if he had stolen them himself.

§ 5. Where any Person of the Age of fifteen Years, and under twenty one, shall be willing to be transported, and enter into any Service in any of His Majesty's Plantations in *America*, it shall be lawful for any Merchant, or other, to contract with him for any such Service, not exceeding eight Years:



Years: Provided such Person, so binding him or herself, come before the Lord Mayor of London, or some other Justice of the City, if such Contract be made there, or within the Liberties thereof, or before two Justices of the Peace of the Place where such Contract shall be made, and acknowledge his Consent, and sign such Contract in his or their Presence, and with their Approbation; and such Merchant, or other, may transport such Person so binding him or herself, and keep him or her within any of the said Plantations, according to the Tenor of such Contract and Approbation of such Magistrates; which, with the Tenor of such Contract, shall be certified by such Magistrates to the next general Quarter-sessions, to be registred by the Clerk of the Peace, without Fee.

**Fishery.**

*Stat. 10. Geo. I. cap. 10. § 1.*

For encouraging the Greenland Fishery, it is enacted, it shall be lawful for any of His Majesty's British Subjects to import Whale-fins, Oil, and Blubber of Whales taken and caught in the Greenland Seas, in British Ships navigated according to Law, without paying any Custom, Subsidy, or other Duties for the same: Provided, That nothing herein contained shall be construed to extend to give Liberty of importing Whale-fins, Oil, or Blubber, Duty-free, unless the Master of the Ship importing the same, shall first make Oath before one of the Commissioners, or other principal Officer of the Customs in the Port of Importation (who are hereby required to administer such Oath) That all the Whale-fins, Oil, and Blubber imported in such Ship, were, *bona fide*, the Fins, Oil, or Blubber of Whales, caught and taken in the Greenland Seas by the Crew of such Ship only, whereof the Master, and one third Part at least of the Mariners were British Subjects.

*Stat. 12. Geo. I. cap. 26. § 7.*

The Benefit of the Act 10 Geo. I. cap. 16. for encouraging the Greenland Fishery, shall, after the twentyfourth of June, One thousand seven hundred and twenty six, be extended to such of His Majesty's British Subjects, as shall fish in the Streights called Davis's Streights, in British Ships navigated according to Law, and the Seas thereto adjoining; and it shall be lawful for any of His Majesty's British Subjects to import Whale-fins, Oil, or Blubber of Whale, Seal-oil, Seal-skins, or any other Produce of Seals, or other Fish or Creature taken or caught in Greenland Seas, or in Davis's Streights, or in any other Parts of the Seas adjoining or adjacent thereto, without paying any Custom or other Duty for the same, during the same Term, and under the same Rules and Restrictions, as are prescribed in the said Act, with Regard to Whale-fins, Oil, and Blubber of Whale caught in the Greenland Seas, and imported from thence into this Kingdom.

*Stat. 5. Geo. II. cap. 28. § 1.*

It shall be lawful for any Persons, for nine Years, from the twenty fifth of December, One thousand seven hundred and thirty one, to import Whale-fins, Oil, or Blubber, Seal-oil, Seal-skins, or any other Produce of Seals, or other Creatures taken in the Greenland Seas, or Davis's Streights, or other Parts adjacent, in British Ships, whereof the Captain, and one third Part of the Mariners are British Subjects, without paying any Duty.

§ 2. Nothing in this Act shall give Liberty of importing any of the beforementioned Commodities Duty-free, unless the Captain of the Ship shall make Oath before one of the Commissioners, or principal Officers of the Customs in the Port of Importation, That all the Whale-fins,

&c.

Or imported in such Ship, was really, and bona fide, the Fins, &c. taken in the Greenland Seas, Davis's Streights, or other Parts adjacent, by the Crew of such Ship only, whereof the Captain, and one Third of the Mariners were British Subjects.

**Governors of Plantations.**

*Stat. 11. & 12. W. III. cap. 12.*

If any Governor of any Plantation or Colony within His Majesty's Dominions beyond the Seas, shall be guilty of oppressing any of His Majesty's Subjects within their Governments, or of any other Crime or Offence, contrary to the Laws of this Realm, or in Force within their respective Governments, &c. it shall be enquired of, heard, and determined in the Court of King's Bench in England, or before such Commissioners, and in such County of this Realm, as His Majesty shall appoint, and by good and lawful Men of such County; and such Punishments to be inflicted, as are usual for such Offences in England.

**Hats.**

*Stat. 5. Geo. II. cap. 22. § 1.*

No Hats or Felts shall be shipped in any of the British Plantations; and no Hats or Felts shall be laden upon any Horse or Carriage, to the Intent to be exported out of any of the said British Plantations.

§ 2. The said Hats or Felts, so exported or laden, shall be forfeited, and the Offenders shall forfeit Five hundred Pounds; and every Master, Mariner, Porter, Carter, Waggoner, Boatman, or other Person, knowing such Offence, and assisting therein, shall forfeit Forty Pounds; which Forfeitures may be recovered by Action of Debt; one Moiety to the Use of His Majesty, and the other Moiety to him that shall sue for the same.

§ 3. It shall be lawful for any Person to seize and convey to His Majesty's next Ware-house, all such Hats and Felts as he shall discover to be laid on board any Vessel, or land on Shore near the Sea, or in any navigable River, to the Intent to be exported contrary to this Act, or to be laden upon any Horse or Carriage, to the Intent to be exported.

§ 4. If any Officer of the Customs in the Plantations shall suffer to be taken any Entry outward, or sign any Cocket or Suffrance for the exporting any Hats or Felts, or suffer the same to be done contrary to this Act; such Commissioner, Farmer, or Officer, shall forfeit his Office, and shall for every such Offence forfeit Five hundred Pounds.

§ 5. Every Offence against this Act shall be enquired of, and determined in the County where such Goods shall be so laden or put on board, as aforesaid, or else in the County, either in Great Britain or the Plantations, where such Offender shall be apprehended, or where the Goods shall be seized or brought in; and the Trial shall be in such Manner, as if the Offence had been wholly done in the same County where the same shall be tried.

§ 6. If any Action shall be prosecuted against any Person for what he shall do in Pursuance of this Act, such Person may plead the general Issue, Not guilty; and if the Plaintiff shall become nonsuit, or Judgement pass against him, the Defendant shall recover treble Costs.

§ 7. No Person in His Majesty's Plantations in America shall make any Felt or Hat with any Wool or Stuff, unless he shall have first served as an Apprentice in the Trade of Felt-making seven Years; neither shall any Felt-maker or Hat-maker in any of the said Plantations employ any Person as a Journeyman, other than such as shall have served an Apprenticeship; nor shall any Felt-maker or Hat-maker in the said Plantations have above two

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Apprentices at one Time, or take Apprentice for less than seven Years, upon Pain to forfeit Five Pounds for every Month that he shall continue offending in the Premises; of which one Moiety shall be to the Use of His Majesty, and the other Moiety to such Person as will sue for the same.

§ 8. No Person inhabiting in the Plantations, shall retain in the said Art of Hat or Felt-making, any Negro, upon Pain to forfeit Five Pounds for every Month.

§ 9. Nothing in this Act shall extend to charge any Person lawfully exercising the said Art, with any Penalty for setting his Son to the working Hats or Felts in his own House, so as such Son be bound by Indenture of Apprenticeship for seven Years; which Term shall not be to expire before he shall be of the Age of twenty one Years.

§ 10. Every Felt-maker residing in the Plantations, who at the beginning of this Session of Parliament was a Maker of Hats or Felts, and an Householder; and likewise all such as were at the beginning of this Session Apprentices, Covenant Servants, or Journey-men in the same Art of Felt-making (so as such Apprentices serve their Apprenticeships) may exercise the Trade in the said Plantations, although the same Persons were not bound Apprentices for seven Years.

*Irish Linen.*

*Stat. 3. Ann. cap. 8. § 1.*

Any Native of England or Ireland may ship in any Port of Ireland in the English built Shipping, whereof the Master and three-fourths of the Mariners at least be English or Irish; any white or brown Linen-cloth, which shall be of the Manufacture of Ireland, and transport the same into any Plantation belonging to Her Majesty, and there traffick and vend the same.

§ 2. No Ship coming to any such

Plantation, shall break Bulk, until Notice be given to the Governor of the Arrival of such Ship, her Name, and her Master; and shall have delivered to such Governor a true Invoice of the Lading, with a Certificate from the chief Officer of the Port in Ireland where laden, of the Particulars of such Lading, and of two Persons who have made Oath that such Linen is of Ireland; and until the Master of such Ship have made Oath before such Governor, that the Goods are the same Goods took on board by virtue of such Certificate, nor until such Ship hath been searched. — And in Case the Master shall break Bulk before such Notice given, Certificate produced, Oath and Search made; or if on such Search any Woollen Manufacture, not laden in England, or Linen not in England, nor of the Manufacture of Ireland, shall be found, such Ship and Furniture thereof, and all Goods found therein, shall be forfeited; one Third to Her Majesty, one Third to such Governor, the other Third to him that sues for the same.

§ 3. Ships coming from Ireland to any such Plantation or Place, shall be subject to the same Rules, Searches, and Penalties, as Ships coming thither from England are.

§ 8. Persons sued by Reason of any Seizure made in Pursuance of this Act, may give this Act and the special Matter in Evidence; and if Judgement be against the Plaintiff, the Defendant shall have double Costs.

§ 9. Suits for Offences against this Act, are to be brought in a Twelve-month after Discovery of such Offence.

§ 10. Proviso: If any Ship laden in England for the Plantations, shall put into any Port in Ireland, and take in such Irish Linen, that the like Certificate and Oaths shall be made; and such Certificate and Oaths being made, such Ship, her Master, and Lading shall be subject to such Rules, Searches, and Penalties only, as they were before the passing this Act.

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This Act to continue but eleven Years.

By the Act of 3 Geo. I. cap. 21. This Act was continued so long as *British* Linen-cloth is allowed to be imported into *Ireland* free of all Duties.

And all *Irish* Linen imported into *England*, and re-exported to the Plantations, is allowed to be exported free of all Duties.

### *Irish Trade.*

Stat. 4. Geo. II. cap. 15. § 1.

It shall be lawful to import into *Ireland* from His Majesty's Plantations, all Goods of the Growth thereof, except Sugar, Tobacco, Cotton, Wool, Indigo, Ginger, Speckle-wood, or *Jamaica* Wood, Fustick, or other dying Wood, Rice, Molosses, Beaver-skins, and other Furs, Copper-ore, Pitch, Tar, Turpentine, Masts, Yards, and Bowsprights; the Act 7 & 8 W. III. cap. 22. notwithstanding.

§ 2. Provided, That the Goods be imported in *British* Shipping, whereof the Master, and three-fourths of the Mariners at least are *British* Subjects.

### *Naval Stores.*

Act of 3 & 4 cap. 10. § 2. of Queen *Anne* gave several Premiums for the Encouragement of the Importation of naval Stores from *America*, all which are expired, except a Premium of six Pounds per Ton on Hemp, water-rotted, bright and clean; which Premium is still allowed, and to be paid according to the Directions in the following Acts.

Stat. 9. Ann. cap. 17. § 2.

No Person within the Colonies of *New England*, *New York*, or *New Jersey*, shall mark any Pine-tree with the broad Arrow, except the Surveyor or General of the Woods, or other Person authorized by him, on Penalty of Five Pounds; to be levied by a Justice of

Peace's Warrant; half to the Crown, and half to the Informer.

Stat. 5. Geo. I. cap. 11. § 16.

No Certificate shall be made out in order to allow the Premium for any Pitch or Tar imported from His Majesty's Plantations in *America*, till such Pitch be freed from Dirt or Dross, or such Tar that is not fit to be used for making Cordage, and that shall not be freed from Dross and Water; and unless such Pitch and Tar be clean, good, merchantable, and well conditioned.

§ 17. It shall be lawful for the Officers of the Customs, before they make any such Certificate, to examine the Pitch, by opening the Heads of the Barrels, sawing the Staves in the Middle, and breaking the Barrels, or so many of them as they shall find sufficient to make a Proof, or by such other Means as they shall think proper, to discover whether the Pitch be merchantable, &c. and to search the said Tar, to find out whether it be well conditioned, and fit for making Cordage.

§ 18. No Fee or Reward shall be demanded or taken by any Custom-house Officer, for examining or delivering such Pitch or Tar, or other naval Stores, with Respect to the Premium, or for making a Certificate, in order to the receiving such Premium, on Pain of Loss of Office, and Incapacity of serving His Majesty; and shall also forfeit One hundred Pounds to such Person as will sue for the same, by Action of Debt, &c. in any Court at *Westminster*; wherein no Essoign, &c. shall be allowed, nor more than one Imparlance.

Stat. 8. Geo. I. cap. 12. § 1.

The Premium or Reward given by the Act 3 & 4 Ann. cap. 10. and 2 of Ann. § 1. cap. 9. of six Pounds for every Ton of Hemp, water-rotted, bright and clean, and shall be continued from the



the Expiration of the said Act 12 Ann. for the Term of sixteen Years, and from thence to the End of the next Session of Parliament; and shall be payable in the same Manner, and under the same Rules and Restrictions, as are prescribed by the former Acts; and all such Hemp, lawfully imported into this Kingdom, shall be free of all Duties and Customs whatsoever.

§ 3. Upon the Importation of any Hemp for which any Premium is given, the Pre-emption or Refusal thereof shall be offered to the Commissioners of His Majesty's Navy, or their Agents, upon landing the same; and if within twenty Days after such Tender the Commissioners shall not contract for it, the Importer or Owner may otherwise dispose thereof.

Stat. 2. Geo. II. cap. 35. § 1.

No Person within the Colonies of *Nova Scotia*, *New Hampshire*, the *Massachusetts Bay*, or in any other Province or County in *America* that belongs to the Crown of *Great Britain*, shall presume to cut, fell, or destroy any white Pine-trees, except such as are the Property of private Persons, notwithstanding the said Trees grow within the Limits of any Township in any of the said Colonies or Plantations, without Licence for so doing.

§ 2. No Person within the Province of the *Massachusetts Bay*, or *New England*, shall presume to cut or destroy any white Pine-trees of the Diameter of twenty four Inches or upwards, at twenty Inches from the Ground, not growing within some Soil or Tract of Land granted to some private Person, without Licence; on Penalty that the Persons so offending, or who shall be aiding or assisting therein, or in drawing away the said Pine-trees, shall be subject to the like Forfeitures and Penalties as are provided in the Act 8 Geo. I. cap. 12. for Persons who shall fell any Pine-trees not growing in any Township; to be recovered and applied as

in the said Act is particularly enacted.

§ 3. Every Person that shall import into this Kingdom, directly from any *British Colonies*, in any Ship that may lawfully trade to His Majesty's Plantations, manned as by Law is required, any of the naval Stores hereafter mentioned; shall have, as a Reward or Premium for such Importation, according to the several Rates of such naval Stores, as follows; viz.

For all Masts, Yards, and Bow-sprights, per Ton, allowing forty Foot to each Ton, twenty Shillings.

For clean good Tar, clear of Dross or Water, fit for making Cordage, per Ton, two Pounds four Shillings.

For clean good Pitch, not mixed with Dirt or Dross, per Ton, twenty Shillings.

For clean good Turpentine, clear of Dross and Water, per Ton, one Pound ten Shillings.

Which several Premiums shall be paid by the Commissioners of His Majesty's Navy, who are to make out Bills to be paid in course for the same, on Certificate of the chief Officer of the Customs where such naval Stores shall be imported; such Bills to be made out and given to the Persons importing the same, within twenty Days after unloading the Ship, on a Certificate to be produced to the chief Officer of the Customs, under the Hand and Seal of the Governor and Collector of His Majesty's Customs, and naval Officer, or any two of them residing within any of His Majesty's said Colonies, that before the Departure of such Ship, the Person loading the same had made Oath before them, That the said naval Stores so shipped on board there, were truly, *bona fide*, of the Growth and Produce of His Majesty's said Colonies; as likewise on Oath to be made within any Port of *Great Britain* by the Master of such Ship importing such naval Stores, That the same were shipped on board such Ship within some of His Majesty's Colonies in *America*, and that he knows

or

or believes that the said naval Stores were of the Produce of the said Colonies or Plantations.

§ 4. The whole Kiln of such Tar, or the Value thereof, unless the half Part shall be made into Pitch, shall be forfeited for the Benefit of any Person who shall sue for the same; to be levied in the same Manner as other Penalties are directed by this Act.

§ 5. Upon the importing of any naval Stores from His Majesty's said Colonies, for which a Premium is hereby granted, the Pre-emption or Refusal of such naval Stores shall be tendered to the Commissioners of His Majesty's Navy upon landing the same; and if within twenty Days the said Commissioners shall not contract for the same, it shall be lawful for the Owner of such naval Stores to dispose of them to his best Profit and Advantage.

§ 6. If any Pitch, Tar, Turpentine, Masts, Yards, or Bowsprights shall be exported, the Person exporting the same shall, before the Entry thereof, produce to the Collector of the Customs at the Port of Exportation, a Receipt from the Treasurer of the Navy or his Cashier, signifying that such Exporter, or his Agent, has paid to him the full Amount of the Premiums that are allowed by this Act, for the like Quantity of such naval Stores, either in Money or by Bills made out for Premiums, by virtue of this Act; which Receipt shall likewise be subscribed by the Comptroller of such Treasurer's Accounts without Fee, so that proper Notice may be taken thereof in his Office; and on Failure thereof, such naval Stores shall not be exported.

§ 7. The Treasurer of His Majesty's Navy shall, on receiving such Premium from the Exporter, charge himself with the Money so received, or with the said Premium or Bill; and the Commissioners of His Majesty's Navy are to take particular Care, that the same be duly brought to the Account

by such Treasurer accordingly.

§ 8. If any Persons shall fraudulently export such naval Stores without paying such Premium to the Treasurer of the Navy, such Persons shall forfeit all such naval Stores, and double the Value thereof; one Moiety to the King, the other to the Prosecutor.

§ 9. If any Doubt shall arise whether the naval Stores so to be exported are of His Majesty's Plantations, or of Foreign Growth, the *Onus probandi* shall lie on the Owner.

§ 10. The several Clauses in the Act of 5 Geo. I. cap. 11. so far as they relate to the examining and viewing Pitch and Tar of the Produce of the Plantations, and for inflicting Penalties and Forfeitures on any Officer of the Customs demanding or taking any Fee for examining such Pitch, Tar, or other naval Stores, with respect to the Premium, and for making or signing a Certificate, shall be continued and put in Practice during the Continuance of this Act.

§ 11. As a further Encouragement for making of Tar, according to the Directions of the Act 8 Geo. I. cap. 12. all Persons who shall import into this Kingdom clean good Tar, clear of Dross or Water, and in every respect fit for making Cordage, made from Trees prepared according to the Directions of the said Act, shall receive as a Premium four Pounds per Ton on the Importation thereof: Provided, That the Importer of such Tar shall produce to the proper Officers of the Customs such Certificate upon Oath, That all the said Tar was made without any Mixture of any other Tar therewith, according to the Directions of the said Act, as in the said Act for that Purpose is particularly mentioned and required.

§ 16. The Importation of Pitch, Tar, Turpentine, Masts, Yards, and Bowsprights of the Growth of the Plantations, shall be subject to the same Limitations, in reference to the Shipping and navigating thereof; and such Security



Security shall be given for importing the same into *Great Britain*, and subject to such Penalties and Forfeitures, as the Importation of Sugar, Tobacco, Cotton, Wool, Indigo, Ginger, Fustick, and other dying Wood from His Majesty's Plantations are subject to.

*Newfoundland.*

Stat. 10. & 11. W. III. cap. 25. § 1.

All residing within this Realm, or the Dominions thereunto belonging, trading to *Newfoundland*, and the Seas, Rivers, &c. in and about the same, or the Islands adjacent, shall have free Trade and Fishery to and from *Newfoundland*, and the Freedom of taking Bait and Fishing in any of the said Seas, and to go on Shore there, for the curing their Fish, and making Oil; and to cut down Wood, for making and repairing Stages, Ship-rooms, Trainfats, Hurdles, Ship-boats, and other Necessaries; but that no Alien shall take any Bait, or use any Trade of Fishing in *Newfoundland*, or the Islands or Places beforementioned.

§ 2. No Ballast, Preft, Stones, or Annoyance to the Harbours there, shall be thrown out of any Ship, or otherwise, but carried on Shore.

§ 3. No Person shall destroy or deface any such Stage or Cook-room, or any Thing thereto belonging; but shall use such only as are needful for him, and leave the same undamaged, repairing them with Timber fetched out of the Woods.

§ 4. Every Fishing-ship from *England*, or the Fishermen thereof, as shall first enter any Harbour or Creek in *Newfoundland*, shall be Admiral of the said Harbour for that Season, and shall reserve to himself only so much Beech or Flakes, as are needful for his Boats, and one over; and the Master of the second Ship shall be Vice-admiral; and the Persons possessed of several Places shall choose which they will

abide in, within forty eight Hours after Demand of any After-comer; and in case of any Difference, the Admiral of the Harbour, or any two of them, shall settle the same.

§ 6. No Fisherman, or Inhabitant in *Newfoundland*, or other, shall seize any such Stages, Cook-rooms, Beeches, or other Places, which do or shall belong to any Fishing-ships, before the Arrival of the Fishing-ships from *England*, and until such Ships be provided with Stages, &c.

§ 7. But such Persons as have built, or shall build or make any Houses, Stages, &c. for fishing there, shall quietly enjoy the same.

§ 8. No By-boat-keepers shall meddle with any House or Stage that shall be made by Ships.

§ 9. Every By-boat-master shall carry with him at least two fresh Men in six; viz. One that hath made but one Voyage, and one who hath never been at Sea before; and every Inhabitant shall employ two such fresh Men for every Boat kept by them; and the Masters of the Fishing-ships shall carry with them one such fresh Man that never was at Sea before, in every five Men; and the Masters of such By-boats and Fishing-ships shall make Oath, that they have such fresh Men as this Act directs; of which they shall have a Certificate gratis.

§ 10. Every Master or Owner of any Fishing-ship going to *Newfoundland*, shall have every fifth Man a green Man, never at Sea before.

§ 11. No Persons shall deface or alter the Mark of any Boat or Trainfat, to defraud the Owner thereof, or convert the same to their own Use, or remove or take away the same, without giving Notice to the Admiral of the Harbour.

§ 12. No Person shall rind any Trees, nor set on fire any of the Woods, or damage the same, except for necessary Fuel for the Ships and Inhabitants, and the building and necessary Repairs of Houses, Ships, Boats, Trainfats,

and of the Stages, Cook-rooms, Beeches, &c. nor cast Anchor, nor annoy the haling of *Sayns* in the customary baiting Places, or shoot their *Sayns* upon the *Sayns* of others, or steal the Nets or Baits of others.

§ 13. All Robberies, Murders, and Felonies, and other capital Crimes committed on the Land in *Newfoundland*, or in any of the Islands thereof, shall and may be tried in any County of *England* by the King's Commission of Oyer and Terminer, and Gaol Delivery.

§ 14. The Admirals in every Port and Harbour in *Newfoundland*, are to see the Rules and Orders of this Act, for the Regulation of the Fishery, duly put in Execution; and to keep a Journal of all Ships, Boats, Stages, Trainfats, and Seamen in their respective Harbours, and deliver a Copy thereof to the Privy Council.

§ 15. Differences arising in *Newfoundland* between the Masters of Fishing-ships, and the Inhabitants there, or the By-boat-keepers, about the Fish-rooms, Stages, &c. shall be determined by the Fishing Admirals in the several Harbours, an Appeal being reserved to the Commanders of the Men of War appointed Convoys for *Newfoundland*.

§ 16. The Inhabitants of *Newfoundland*, and the Islands and Places adjacent, shall strictly observe every Lord's Day, or Sunday; and the Inhabitants, who keep publick Houses, shall not on that Day sell or utter any Wine, Beer, Ale, Cyder, Strong-waters, or Tobacco, or other Liquors.

§ 17. All Whale-fins, Oil, and Blubber, taken and imported by the *Greenland Company of London*, shall not be liable to the additional Duty charged in the Acts made *Anno 8 & 9 W. III. cap. 24.* and *Anno 10 W. III. cap. 23.* but that the same, and all Whale-fins, Oil, and Blubber of *English* Fishing, taken in the Seas of *Newfoundland*, or any of the Seas belonging to His Majesty's Plantations or Colonies, and

imported by His Majesty's Subjects in *English* Shipping, are declared to be free of the said Duties, as all Fish of *English* taking.

#### Piracy.

*Stat. 11. & 12. W. III. cap. 7. § 1.*

All Piracies, Felonies, and Robberies, committed in or upon the Sea, or in any Haven, River, Creek, or Place where the Admiral has Jurisdiction, may be tried at Sea, or upon Land, in any of His Majesty's Islands, Plantations, Colonies, &c. appointed for that Purpose, by Commission under the Great Seal of *England*, or Seal of the Admiralty, directed to such Commissioners as His Majesty shall think fit, who may commit such Offenders, and call a Court of Admiralty thereupon, to consist of seven Persons at the least.

§ 2. And for want of seven, then any three of the said Commissioners (whereof the President of some *English* Factory, or Governor, or Member of the Councils in some of the Plantations, or Commander of one of the King's Ships, to be one) may call any other Persons, being Merchants, Factors, Planters, Sea-captains, Lieutenants, or Warrant-officers, &c. to make up the Number.

§ 3. None but known Merchants, Factors, or Planters, or such as are Captains, Lieutenants, or Warrant-officers in Ships of War, or Captains, Masters, or Mates of any *English* Ship, shall be capable of sitting or voting in the said Court.

§ 4. The Persons so assembled may proceed according to the Course of the Admiralty, in hearing and determining any Case of Piracy, Robbery, and Felony, and give Sentence of Death, and award Execution on the Offenders, who shall thereupon suffer such Loss of Lands, Goods, &c. as if they had been attainted and convicted of any Piracies, &c. according to the Statute

*Anno*



Anno 28. H. VIII. and when any Court is so called on Shipboard, or on Land, the King's Commission being first read, the President, and then the rest of the Court, shall take an Oath impartially to try the Prisoner; who thereupon pleading Not guilty, Witnesses shall be produced by the Register, who may be cross-examined for the Prisoner, and other Witnesses may be brought in his Defence; and after a fair Hearing, and all Persons withdrawn but the Register, the Court shall consider of the Evidence, and give Judgement by Plurality of Voices, and Execution thereupon may be awarded by Warrant to a Provost-marshal.

§ 7. The Register to be a publick Notary; and for want of such, the President to appoint and swear a Register, who is to prepare all the Proceedings in a summary Way, and transmit Copies thereof to the Admiralty-court in England.

§ 8. If any natural-born Subject commit Piracy against any His Majesty's Subjects at Sea, under Colour of a Commission from any Foreign Prince or State, or Person whatsoever, such Offenders shall be adjudged Pirates, &c. and shall suffer accordingly.

§ 9. If any Commander or Master of a Ship, or Seaman or Mariner, turn Pirate, or give up his Ship, &c. to Pirates; or combine to yield up, or run away with any Ship, or endeavour to make a Revolt in the Ship, he shall be adjudged a Pirate.

§ 10. All Persons who shall set forth any Pirate, or be aiding to any such Pirate, committing Piracy on Land or Sea, or shall conceal such Pirate, or receive any Vessel or Goods piratically taken, shall be adjudged accessory to such Piracy, and suffer as a Principal.

§ 11. When any English Ship shall have been defended by Fight against Pirates, and any of the Officers or Seamen killed or wounded; the Judge of the Admiralty in London, or the Mayor or chief Officer in the out Ports,

assisted by four substantial Merchants, may, by Process out of the said Court, levy upon the Owners of such Ship, &c. a Sum not exceeding two per Cent. of the Value of the Freight and Ship, and Goods so defended; to be distributed among the Officers and Seamen of the said Ship, or Widows and Children of the Slain.

§ 12. A Reward of Ten Pounds for every Vessel of two hundred Tons, or under, and Fifteen Pounds for every Vessel of a greater Burden, shall be paid by the Captain, Commander, or Master, to the first Discoverer of any Combination for running away with, or destroying any such Ship, at the Port where the Wages are to be paid.

§ 14. The Commissioners aforesaid shall have the sole Power of trying the said Offences within the Colonies and Plantations in America, governed by Proprietors, or under Grants or Charters from the Crown; and may issue their Warrants for apprehending such Pirates, &c. and their Accessories, in order to their being tried there, or sent into England; and all Governors, &c. in the said Plantations, under Proprietors or Charters, shall assist the Commissioners therein, on Penalty of forfeiting such Charters. And if any Governor in the said Plantations, or any Person in Authority there, shall refuse to yield Obedience to this Act, such Refusal is declared a Forfeiture of the Charter for the Government.

§ 16. Commissions for Trial of the said Offences, sent to any Place within the Jurisdiction of the cinque Ports, shall be directed to the Lord Warden of the cinque Ports, or his Lieutenant, and such Persons as the Lord Chancellor shall appoint; and the Trial to be by Inhabitants of the cinque Ports.

§ 17. All Seamen, Officers, or Sailors, who shall desert the Ships or Vessels, wherein they are hired for a Voyage, shall forfeit their Wages.

§ 18. If any Master of a Merchant-ship or Vessel shall, during his being abroad, force any Man ashore, or wilfully

wilfully leave him behind, or refuse to bring all his Men home again, who are in a Condition to return, he shall suffer three Months Imprisonment.

*Stat. 4. Geo. I. cap. 11. § 7.*

All Persons who have committed, or shall commit any Offences, for which they ought to be adjudged Pirates by the foregoing Act, may be tried for every such Offence in such Manner as by the Act 28. *Hen. VIII. cap. 15.* is directed for the Trial of Pirates; and shall be utterly debarred from the Benefit of Clergy for the said Offences.

§ 8. This Act shall not extend to Persons convicted or attainted in *Scotland*.

§ 9. This Act shall extend to His Majesty's Dominions in *America*, and be taken as a publick Act.

*Stat. 8. Geo. I. cap. 24. § 1.*

If any Commander or Master of any Ship or Vessel, or other Person, shall anywise trade with any Pirate, by Truck, Barter, Exchange, or in any other Manner; or shall furnish any Pirate, Felon, or Robber on the Seas, with any Ammunition, Provisions, or Stores of any Kind; or shall fit out any Ship or Vessel knowingly, and with Design to trade with or supply, or correspond with any Pirate, &c. or if any Person shall anyways consult, combine, confederate, or correspond with any Pirate, &c. knowing him to be guilty of any Piracy, Felony, or Robbery; such Offender shall, in each and every of the said Cases, be adjudged guilty of Piracy, Felony, and Robbery; and shall be enquired of, tried, and adjudged, for any the Matters aforesaid, according to the Statutes 28. *Hen. VIII. cap. 15.* and the 11. & 12. *W. III. cap. 7.* which by 6. *Geo. I. cap. 19. § 3.* is made perpetual; and being convicted, shall suffer such Pains of Death, Loss of Lands, Goods, and Chattels, as Pirates, &c.

ought to suffer: And if any Person belonging to any Ship or Vessel whatsoever, upon meeting any Merchant-ship on the high Seas, or in any Port, Haven, or Creek whatsoever, shall forceably board and enter into such Ship, and though they do not seize and carry her off, shall throw over-board, or destroy any Part of the Goods or Merchandizes belonging to such Ship; the Persons guilty thereof, shall be deemed and punished as Pirates.

§ 2. Every Ship or Vessel which shall be fitted out with a Design to trade with, or supply or correspond with any Pirate; and all the Goods and Merchandizes put on board the same, with an Intent to trade with any Pirate, shall be, *ipso facto*, forfeited; one Moiety to the King, the other to the first Discoverer of such Design, who may sue for, and recover the said Ship, &c. in the high Court of Admiralty.

§ 3. All Persons, who by the Act of 11. & 12. of *W. III. cap. 7.* are declared Accessories to any Piracy, shall be deemed to be principal Pirates; and shall be enquired of, heard, and judged in the same Manner, as Persons guilty of Piracy ought to be enquired of, &c. and being thereupon attainted and convicted, shall suffer such Pains of Death, Loss of Lands, Goods, and Chattels, and in like Manner as Pirates and Robbers ought to suffer.

§ 4. Every Offender convicted of any Piracy, Felony, or Robbery, shall not be admitted to have the Benefit of the Clergy; but be utterly excluded of the same.

§ 5. If any Seaman on board any Merchant-ship, or other Vessel, shall be maimed in Fight against any Pirate, he shall not only receive the Rewards appointed by 22. & 23. *Car. II. cap. 11.* but shall be admitted into, and provided for in *Greenwich Hospital*, preferable to any other Seaman, who is disabled from Service, or getting a Livelihood merely by his Age.

§ 6. If



§ 6. If any Commander, Master, or other Officer or Seaman of a Merchant-ship, which carries Guns and Arms, shall not, when they are attacked by any Pirate, or by any Ship, on which such Pirate is on board, fight, and endeavour to defend themselves and their Ships from being taken; or shall utter any Words to discourage the other Mariners, and by reason thereof, the Ship shall fall into the Hands of the Pirate; in every such Case, every such Commander, &c. shall forfeit all the Wages due to him to the Owners of the Ship, and not be permitted to sue for the same in any Court of Law or Equity; and as a further Punishment, shall suffer six Months Imprisonment.

§ 7. For preventing of Seamen deserting Merchant-ships beyond the Seas, which is the chief Occasion of their turning Pirates, and occasioned chiefly by paying Wages to Seamen when abroad; no Master or Owner of any Merchant-ship shall, to any Seaman, during the Time he shall be in any Parts beyond the Seas, pay any Money or Effects on account of Wages, exceeding one Moiety of the Wages due at the Time of such Payment, till such Ship shall return to Great Britain, Ireland, or the Plantations, or to some other of His Majesty's Dominions whereto they belong, and from whence they were fitted out, on Forfeiture of double the Money so paid; to be recovered in the high Court of Admiralty, by any Person who shall first discover and inform for the same.

§ 8. If any Captain, Commander, or other Officer of any of His Majesty's Ships of War, whether such Ship be employed at home or abroad, shall take on board such Ship any Goods or Merchandizes, in order to trade with the same, either on his own or any Person's account, except Gold, Silver, or Jewels, and Goods belonging to any Merchant-ship shipwrecked, or in Danger of being shipwrecked, in order to the preserving

them for their proper Owners; and except such Goods as they shall be ordered to receive on board by the Admiralty; every such Captain shall, upon his being convicted thereof by a Court-martial, forfeit the Command and Office he shall then have in the said Ship, and shall be for ever afterwards rendered incapable to serve in the same, or in any other Place or Office in the naval Service of the Crown; and as a further Punishment, he shall forfeit all the Wages due to him for his Service in the Ship of War whereto he shall belong, when, or at any Time after such Offence shall be committed.

§ 9. The said Captain, &c. and the Proprietors of the Goods so put on board such Ship of War, shall forfeit the full Value of the Goods so put on board; one Moiety to the first Discoverer, the other to the Use of Greenwich Hospital; all which Forfeitures shall be sued for in the high Court of Admiralty.

§ 10. This Act shall extend to all His Majesty's Dominions in Asia, Africa, and America.

#### Privateers and prize Goods.

Stat. 6. Ann. cap. 37. § 1.

For Encouragement of the Trade to America, all prize Officers are hereby suppressed.

§ 2. The Flag, and other Officers and Seamen of every Vessel of War, shall have the sole Interest in Ships and Goods they shall take in America.

§ 3. The Lord Admiral, or Commissioners of the Admiralty, or any Person or Persons in America, by them appointed, shall, during this War, grant Commissions to Commanders of such Ships, for the seizing and taking Ships and Goods belonging to Her Majesty's Enemies.

§ 4. The Judges of the Admiralty shall in five Days finish the preparatory Examinations, in order to enquire whether Prize or not; and the usual Motion

dition shall be executed in three Days: And in case no Claim shall be made, or if such Claim be, and the Claimant shall not in five Days give Security to pay double Costs, in case the same Ship or Goods be adjudged Prize; then the Judge shall, upon producing the said Examinations, and also all Papers and Writings taken in or with such Capture, upon Oath, or upon Oath that no such Papers were found, immediately proceed to Sentence, either to acquit or condemn the same. And in case such Claim shall be made, and Security given, and there shall appear no Occasion to examine Witnesses, other than such near the said Court; then such Judge shall cause such Witnesses to be examined, and in ten Days proceed to Sentence. — But if it shall appear doubtful, whether lawful Prize or not, and necessary to have Witnesses remote; then the said Judge shall cause the same to be forthwith appraised by Persons sworn truly to appraise, and shall take Security from the Claimants, to pay the Captors the Value of the Appraisement, if the same be adjudged lawful Prize; and after such Security given, the said Judge shall order the releasing or delivering the same to the Claimants.

§ 5. In case any Claimant shall refuse to give such Security, the Judge shall cause the Captors to give Security, to pay the Value of the Appraisement, in case such Capture shall not be adjudged Prize; and the said Judge thereupon shall order to deliver the same to the Captors.

§ 6. All such Captures brought in to any Plantations, shall, without breaking Bulk, stay there, and be under the joint Care of the Officer of the Port, and of the Captors, until discharged, condemned, or such Order made for the delivering; and upon Condemnation, be delivered to the Captors. And if any Judge or Officer shall delay the performing any the Proceedings relating to the condemning or delivering, as aforesaid, every

such Judge and Officer shall forfeit Five hundred Pounds; one Moresy to Her Majesty, the other to the Informer.

§ 7. There shall not be paid to the Judges and Officers of the Admiralty, for condemning such Capture, above Ten Pounds, if under one hundred Tons; nor above Fifteen Pounds, if of greater Burthen; and upon Payment of the said Sums to the said Judges, to be by them divided amongst the Officers of such Court; such Judges and Officers shall be liable to the Penalties hereby imposed for neglecting.

§ 8. The Parties may appeal to Her Majesty and Council, so as Security be given to prosecute the Appeal, answer the Condemnation, and pay treble Costs, in case the Sentence be affirmed, and so as Execution be not suspended by such Appeal.

§ 9. No Person serving on board any Privateer, or trading Ship in *America*, nor any Person being on shore there, shall be impressed by any Ship of War, unless such Person shall have deserted such Ship of War, upon Pain that such Officer impressing shall forfeit Twenty Pounds for every Man impressed.

§ 10. Every Commander of such trading or privateer Ship shall, before he receive any Person on board his Ship, endeavour to discover whether such Person hath deserted any Ship of War; and if he shall entertain any Person without such Endeavour, or which he knows hath deserted, such Commander shall forfeit Twenty Pounds, with Costs of Suit.

§ 11. Every such Commander, before he sets sail from any Port, shall deliver to the chief Officer of the Customs a List of the Names, Ages, and Descriptions of all his Men, upon Pain of Ten Pounds for every one not inserted.

§ 12. The said Officers of the Customs shall deliver to such Commander an attested Copy of such List, to be altered upon Death or Alteration of any Seaman, and delivered to the chief Officer



Officer of any Port where such Ship shall arrive, to be produced to any Officer of any Ship of War; and if any Man belonging to a Ship of War be found on board, not contained in the List, the Master to forfeit Twenty Pounds.

§ 13. The Master of every trading Ship, or Packet-boat, going to America, shall, upon Desire, carry Mariners, not exceeding the fifth of their usual Complement, upon Pain of Twenty Pounds for every one they shall refuse; to be paid and recovered, as aforesaid.

§ 14. Her Majesty, during this War, may grant Commissions or Charters to any Persons or Societies, for taking any Ships, Goods, Harbours, Lands, or Fortifications of Enemies in America, and for their Enjoyment thereof, though the present War ended.

§ 15. Proviso, That nothing in such Charter shall restrain a free Trade to America.

§ 16. Proviso, That no Commander shall offer any Molestation between Rio de la Hacha, and the River Chagre, to any Vessel or Goods of Subjects of Spain, concerned in Trade with Her Majesty's Subjects.

§ 17. That 3 & 4 Ann. cap. 3. shall not restrain the Subjects from carrying contraband Goods within the Limits aforesaid.

§ 18. Privateers having Letters of Mart, shall be subject to the Penalties in force in the said Plantations, for carrying away Servants without their Owners Consent, and other Persons, without Tickets from the Secretary's Office.

§ 19. During this War, any such Ships may be navigated by Foreign Mariners, so as the Number do not exceed three-fourths of the Mariners employed.

§ 20. Every Foreigner, who shall have faithfully served on board any Ship of Great Britain for two Years, shall be deemed a natural-born Sub-

ject, and have all the Privileges of such Subjects.

§ 22. Proviso, That all Subjects may trade in any Part of America, as before this Act.

§ 23. That nothing herein shall prejudice the Hudson's Bay Company.

Stat. 9. Ann. cap. 27. § 1.

All prize Goods taken in America, and imported into any of the Plantations, shall be liable to these Duties; viz. All European Goods (Wines and Brandies excepted) which have been usually sent to the Plantations, shall pay such Customs, as are payable for the like Goods imported into the Plantations from Great Britain; and all other Goods taken as prize, shall be liable to such Duties, as were payable for the same by any Act of Assembly in the said Plantations.

§ 2. All Bonds which have been taken at Jamaica, for the Payment of Duties chargeable by the Statute of 6. Ann. upon Commodities of the Growth of America, and for Wines and Brandies, shall not be prosecuted.

§ 3. Proviso, That the Officers with whom the said Securities remain, shall certify the Commissioners of the Customs the Tenor of the said Bonds, and for what Duties they were taken; and the Commissioners shall make Report thereof to the House of Commons.

§ 4. All prize Goods which shall be imported into Great Britain, shall be subject to the Payment of the same Duties, as those Goods would have been, had they not been prize.

Stat. 10. Ann. cap. 22. § 1.

All Cocoa, Sugar, Indigo, and other Goods taken and condemned as prize Goods, of the Growth and Produce of any Foreign Plantations, shall pay only such Duties and Customs, as the same would have paid, if they had been of the Growth and Produce of the

the Plantations, Islands, or Colonies in *America*, belonging to the Crown.

§ 2. All prize Goods of the Growth and Produce of such Plantations, which be imported into *Great Britain* from any of the Plantations, upon producing a Certificate, that they are the same Goods which were condemned in the Court of Admiralty within such Plantation, shall pay only such Duties in *Great Britain*, as if they had been of the Growth and Produce of the Plantations belonging to the Crown.

#### Plantation Trade.

Stat. 15. Car. II. cap. 7. § 6.

No Commodity of the Growth or Manufacture of *Europe*, shall be imported into any of the Plantations in *Asia*, *Africa*, or *America*, but what shall have been shipped in *England*, and in *English* built Shipping, and whereof the Master, and three-fourths of the Mariners are *English*, and carried directly thence to the said Plantations, on Pain to lose the same, and the Vessel also; one third to the King, one third to the Governor of such Plantations, the other third to him that will seize or sue for the same in any of the King's Courts in such Plantations, or in *England*.

§ 7. But it shall be lawful to lade in such Ships so navigated in any Part of *Europe*, Salt for the Fishers of *New England* and *Newfoundland*; and in the *Madera's* and *Azores*, Wines of the Growth of the said Islands; and in *Ireland*, to take in Servants or Horses, and all Victuals, to transport them to the said Plantations.

§ 8. They that import by Land any Goods into the said Plantations, shall deliver to the Governor of such Place their Names and Surnames, with a true Inventory of such Goods; and no Vessel shall lade or unlade, till the Master have made known, as aforesaid, the Arrival of the Vessel, and have shewn that she is an *English* built

Ship, and navigated, as aforesaid, and have delivered an Inventory of her Lading, on Pain to lose the Ship and Goods; to be recovered and divided, as *supra*: Governors of such Plantations to do their utmost to cause this Act to be observed; and if any offend contrary to this Act, they shall be turned out, and be incapable of the Government, and forfeit One thousand Pounds; one half to the King, the other half to him that will sue for the same.

§ 9. Officers of the Customs that suffer Sugar, Tobacco, Ginger, Cotton-wool, Indigo, Speckle-wood, or *Jamaica*-wood, Fustick, or other dyeing Wood, of the Growth of any of the said Plantations, to be carried into any other Country, till they have been put on Shore in *England*, shall lose their Place, and the Value of such Goods; one half to the King, the other to the Informer.

§ 10. Sea-coal may be shipped for any Part of the Plantations out of *England* in such Shipping, and navigated, as aforesaid, paying for the Chalder, *Newcastle* Measure, one Shilling and eight Pence, and for the Chalder, *London* Measure, one Shilling, in full of Custom and Poundage; but Security must be given for landing them in the said Plantations.

§ 12. Foreign Coin, or Bullion, may be exported, making Entry thereof in the Custom-house, without paying any Duty.

§ 13. For every Head of great Cattle imported after the first of *July*, and before the twentieth of *December*, in any Year, there shall be paid to the King twenty Shillings, and ten Shillings to him that will inform or seize, and ten Shillings to the Poor of the Parish where such Seizure shall be made; and ten Shillings to the King, for every Sheep imported between the first of *August*, and the twentieth of *December*, in any Year.

§ 16. No fresh Herring, Cod, or Haddock, Coal-fish, or Gull-fish shall be



be imported; but in Vessels *English* built, and navigated as aforesaid, and which hath been caught in such Vessels, on pain to forfeit such Fish, and the Vessels; one Moiety to the King, the other to him that will sue or seize.

§ 17. For the following Kinds of salted or dried Fish, imported or caught in other Vessels than as aforesaid, shall be paid; for Cod-fish, the Barrel, five Shillings, the hundred, ten Shillings; for Coal-fish, the hundred, five Shillings; for Lings, the hundred, one Pound; for white Herring, the Last, one Pound sixteen Shillings; for Haddocks, the Barrel, two Shillings; for Gull-fish, the Barrel, two Shillings.

Stat. 25. Car. II. cap. 7. § 1.

All the King's Subjects, and other Persons residing here, may trade to and from *Greenland*, and those Seas, to take Whales and other Fish, and import all sorts of Oil, Blubber, and Fins thereof, and exercise all other Trade to and from those Parts.

And any Persons, Natives or Foreigners, may import Train-oil, or Blubber of *Greenland* or of *Newfoundland*, or any other Plantation, and Whale-fins caught in Vessels belonging to *England*, and imported in any such Ships, without paying Duty; and for the Ton of such Oil, taken by Shipping belonging to any of the Plantations there, shall be paid six Shillings; and for every Ton of Whale-fins, taken and imported in such Shipping, fifty Shillings; and for the Ton of such Oil, taken by the said Shipping, but imported in Shipping belonging to *England*, three Shillings; and for every Ton of Whale-fins, taken and imported in such Shipping, one Pound five Shillings; and for the Ton of such Oil and Blubber of Foreign Fishing, nine Pounds; and for every Ton of Whale-fins, eighteen Pounds, and no more.

And any Vessel belonging to *England*, and whereof the Master shall be an

*Englishman*, and employed for catching Whales during such Voyage, may be navigated with one Moiety of the Harpineers, and the other Moiety of the rest of the Mariners only *English*; and yet shall pay no other Custom than if it had been navigated with three-fourths of the Mariners *English*.

Such Ship may be navigated with one third *English*, by Statute 4. & 5. W. & M. cap. 17. § 17.

§ 2. No Vessel belonging to *England* shall enjoy any Benefit by this Act, unless she did proceed on her Voyage from *England*, to be attested by the Collector of the Port.

If any Vessel shall come to any of the King's Plantations to ship any Sugar, Tobacco, Cotton-wool, Indigo, Ginger, Pustick, or other dying Wood of their Growth, and Bond shall not be first given, with one Surety, to bring the same to *England*, there shall be answered the Duties following: viz. For Sugar, white, the hundred weight, five Shillings; and brown Sugar, and *Muscovado*, one Shilling and six Pence; for Tobacco the Pound, one Penny; for Cotton-wool, the Pound, one Half-penny; for Indigo, the Pound, two Pence; for Ginger, the hundred weight, one Shilling; for Logwood, the like Weight, five Pounds; for Pustick, and all other dying Wood, the like Weight, six Pence; for every Pound of Cocoa-nuts, one Shilling; to be paid where, and to whom shall be appointed in the said Plantations, before landing thereof.

§ 3. The several Duties to be levied by the Commissioners of the Customs in *England*.

§ 4. If any shall not have Monies to pay the Duties, the Collectors may accept such a Proportion of the Commodities, as shall amount to the Value thereof.

§ 5. All Persons, Natives or Foreigners, may trade to and from *Sweden*, *Denmark*, and *Norway*.

§ 6. Any Subject of this Realm may be admitted into the Fellowship of the

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*Eastland* Merchants, paying for his Admission forty Shillings.

*Stat. 7. & 8. W. III. cap. 22. § 2.*

No Goods or Merchandizes shall be imported or exported to or from any Colony or Plantation in *Asia*, *Africa*, or *America*, or from one Port to another Port in the same, or the Kingdom of *England*, in any Ship but what shall be built in *England*, *Ireland*, or the said Colonies, and wholly owned by the People thereof, and navigated with the Master, and three-fourths of the Mariners of the said Place, under pain of forfeiture of Ship and Goods; one third Part to the King, one third Part to the Governor of the said Plantations, and the other third Part to the Person who shall inform and sue for the same at *Westminster*, or in the Plantations where such Offence shall be committed.

§ 4. All the present Governors of any *English* Colonies or Plantations, shall, before their Entrance into the said Government, take a solemn Oath to do their utmost, that the Acts of Parliament relating to the said Colonies and Plantations be punctually observed, so far as appertains to the said Governors respectively; and upon proof that any the said Governors have neglected to take the said Oath, or have been negligent in their Duty, such Governors shall be removed from their Governments, and forfeit the Sum of One thousand Pounds *Sterling*.

§ 5. All and every the Officers of Plantations, known by the Name of the naval Officers in the respective Plantations, shall give Security to the Commissioners of the Customs in *England* for the true and faithful Performance of their Duty; and in default thereof, shall be disabled to execute the said Office; and till such Security be given, and the Person approved by the Commissioners, the respective Governors shall be answerable for any of the said Persons.

§ 6. All Ships, King's Ships or Merchant-ships, lading or unlading at any of the Plantations, the Masters and Commanders shall be subject to the same Rules and Forfeitures, as Ships and their Lading, and Masters of Ships are subject and liable to in this Kingdom; and the Officers in the said Plantations shall have the same Power for visiting and searching of Ships, taking their Entries, seizing Goods prohibited, or for which Duties ought to be paid, as are provided for the Officers in *England*; and also to enter Houses and Ware-houses, to search and seize such Goods; and all Persons assisting in the Concealment of such Goods, or in resisting any of the said Officers, and the Boats and other Vessels employed in the Conveyance of such Goods, shall be liable to the like Penalties, as are provided in relation to prohibited and uncustomed Goods in this Kingdom; and the like Assistance shall be given to the said Officers; and the said Officers subject to the same Penalties, for Corruptions, Frauds, &c. in violation of any the aforementioned Laws, as the Officers of the Customs in *England* are liable to; and in case any Officer in the Plantations shall be sued, he may plead the general Issue, and give this or other Custom-acts in Evidence.

§ 7. All Penalties and Forfeitures, shall be one third to the King, one third to the Governor, and the other third Part to the Person who shall sue for the same in any Court at *Westminster*, or in the Court of Admiralty in any Plantation; and where any Question shall arise, the Proof shall lie upon the Owner or Claimer.

§ 8. Notwithstanding the Payment of the Duties in any *American* Plantations, none of the Goods subject to the said Duties shall be shipped or laden aboard, until such Security shall be given, as is required by the said Acts, to carry the same to *England*, or some other of His Majesty's Plantations, under the Penalty and Forfeiture of Ship and Goods.

§ 9. All



§ 9. All Laws, By-laws, Usages, or Customs in practice in any of the said Plantations, which are repugnant to any of the Laws of *Great Britain*, so far as such *British* Laws shall relate to, or mention the said Plantations, are declared illegal, null, and void.

§ 10. In Cases where the Governors in the Plantations shall have reasonable ground to suspect that any Certificates are false and counterfeit; that is to say, That the Certificate of having given Security in *England* is false; in such Case the said Governor shall require and take sufficient Security there for the Discharge of the Plantation Lading in *England*; and in such Case where there shall be Cause to suspect the Certificate, of having discharged the Plantation Lading in this Kingdom, is false, they shall not vacate the Security till they shall be informed that the Matter of the Certificate is true; and if any Person shall counterfeit or raise any Cocket, Certificate, Return, or Permit for any Vessel or Goods, or knowingly make use thereof, such Person shall forfeit the Sum of Five hundred Pounds; and the Cocket, &c. so falsified, shall be of no Effect.

§ 11. The Commissioners of the Treasury, and the Commissioners of the Customs in *England*, shall and may constitute such Officers of the Customs in any Town, Port, Harbour, or Creek of any Islands or Tracts of Lands, when and as often as to them shall seem needful. — And upon any Actions, Suits, and Informations that shall be commenced in the said Plantations, concerning His Majesty's Duties, none shall be of any Jury, but such as are Natives of *England* or *Ireland*, or of the said Plantations; and in such Actions, Suits, and Informations, the Offences may be laid to be in any Precinct or Division of the said Plantations where such Offences are alleged to be committed, at the Pleasure of the Officer or Informer.

§ 12. All Places of Trust in the Courts of Law, or relating to the

Treasury in the said Islands, shall be in the Hands of the native-born Subjects of *England*, or of the said Island.

§ 13. In all Bonds hereafter to be taken in the said Plantations, the Sureties therein named shall be Persons of known Residence and Ability in the said Plantations; and the Conditions of the said Bonds shall be, to produce Certificate of having landed the Goods therein mentioned in one of His Majesty's Plantations, or in *England*, otherwise such Bonds shall be in force, and allowed in any Court of *England*, or the Plantations.

§ 14. No Plantation Goods to be landed in *Ireland*, without being first landed, and Duties paid in *England*, on Penalty of forfeiting Ship and Goods.

§ 15. If any Ship, laden as aforesaid, shall, by Stress of Weather, be stranded, or, by Leakiness, or other Disability, be driven into any Port of *Ireland*, her Goods and Merchandizes may be put on Shore, but shall be delivered unto the chief Officer of the Customs there, till put on board some other Ship or Vessel, to be transported to some Port in *England*.

§ 16. Persons claiming Property in any Islands or Tracts of Land on the Continent of *America*, by Charter, shall not at any Time alien, sell, or dispose of the same to any other than the natural-born Subjects, without the Licence of His Majesty; and all Governors appointed by any such Proprietors, shall be approved of by His Majesty, and shall take the Oaths enjoined to be taken by the Governors in other Plantations, under the like Penalty.

§ 17. No Ship shall be deemed to pass as a Ship of the Built of *England*, or any of the King's Plantations, so as to trade to any of the said Plantations, until the Proprietor of such Ship shall register the same, and one or more of the Owners of such Ship make Oath where the Ship was built, who are the present Owners thereof, and that no  
Foreigner

Foreigner hath any Share, Part, or Interest therein; which Oath is to be administered by the Collector or Comptroller of the Customs of such Port to which the Ship belongs, if in *England*; but if in any Plantation, or in *Guernsey* or *Jersey*, then by the Governor, with the principal Officer of His Majesty's Revenue there.

§ 18. Which Oath being attested by the Governor or Custom-house-officer, and registred by them, shall be delivered to the Master of the Ship, for the Security of her Navigation, and a Duplicate transmitted to the Commissioners of His Majesty's Customs at *London*, and there entred in a general Register; the Vessel that trades without such Proof made as here directed, shall be liable to such Prosecution and Forfeiture, as Foreign Ships would be for trading to the said Plantations.

§ 19. All such Ships as are taken at Sea by Letters of Mart, and condemned in the Admiralty as lawful Prize, shall be specially registred, with Proof also upon Oath, that the intire Property is *English*, before any such Prize shall be allowed the Privilege of an *English* built Ship.

§ 20. Nothing in this Act shall extend to require the registering of any Fisher-boats, Hoys, or any open Boats, but only of such as cross the Seas, to or from Plantations.

§ 21. No Ship's Name registred shall be changed, without registering such Ship *de novo*, under the same Penalties as before directed; and upon sale of any Share, such Sale shall be acknowledged by Indorsement on the Certificate of the Register.

By the Act of 3. & 4. of *Queen Anne*, cap. 5. § 12. for granting a further Subsidy on Wines and Merchandizes imported, all Rice and Molasses are, under the like Securities and Penalties, restrained to be imported into this Kingdom, as by the foregoing Acts of the 12th & 15th of *King Charles* the Second, the former for encouraging

and increasing of Shipping and Navigation, and the latter for the Encouragement of the *Greenland* and *Eastland* Trades, &c. (which see under the Heads of *Shipping* and *Trade*) is provided for the Goods therein particularly enumerated; but by an Act of the 4th of *Geo. II.* Rice is allowed to be exported from *Carolina* to any Part of *Europe*, to the Southward of *Cape Finisterre*; and by an Act of the 8th of *Geo. II.* the same Liberty is allowed to the Province of *Georgia* as to *Carolina*, with regard to the Exportation of Rice.

And by the Acts of the 8th of *Geo. I.* cap. 15. § 15. & 24. for Encouragement of the Silk Manufacture, &c. and for making Plantation-furs an enumerated Commodity, &c. and cap. 18. § 22. to prevent the clandestine Running of Goods, and the Danger of Infection thereby, &c. and for making Copper-ore an enumerated Commodity; all Beaver-skins, and other Furs, and all Copper-ore of the Product of any of the *British* Plantations in *America*, *Asia*, or *Africa*, shall be imported directly from thence into *Great Britain*, under the Penalties and Forfeitures contained in the forementioned Acts; which last Act, though expired, has been revived by subsequent Acts, and is still in force.

Sail-cloth.

Stat. 4. *Geo. II.* cap. 27. § 1.

It shall be lawful for any Persons to import rough Flax without paying Duty, so as Entry be made in the Custom-house, and so as the same be landed in the Presence of the proper Officer, and the Importation be according to the Act of Navigation.

§ 2. On Failure of the Conditions, all such rough and undrest Flax shall be liable to the Duties.

§ 3. There shall not be allowed, on the Re-exportation of Foreign Sail-cloth, or Foreign made Sails, any Drawback of the Duties.

§ 4. There



§ 4. There shall be allowed a further Reward of one Penny for every Ell of *British* made Sail-cloth exported; the same to be paid out of the Money arising from an additional Duty laid on all Sail-cloth imported into this Kingdom, by an Act of 12. Ann. cap. 18.

§ 7. There shall not be allowed on the Re-exportation of Hemp unwrought, to any of His Majesty's Dominions in *America*, any Drawback of the Duties charged on Importation.

§ 8. Every Manufacturer of Sail-cloth shall affix at the End of every Piece of such Sail-cloth a Stamp, containing the Name and Place of Abode of such Manufacturer; and if any Manufacturer shall expose to sale any Piece of Sail-cloth without being stamped as aforesaid, such Manufacturer shall forfeit Five Pounds for every Piece by him exposed to sale, not stamped, as aforesaid; and if any Person shall wilfully or maliciously cut off or obliterate any Stamp so affixed, or shall affix or use any Stamp, on which shall be marked the Name and Place of Abode of any other Person, such Person shall for every Offence forfeit Ten Pounds; both which Forfeitures shall be levied by Distress and Sale of the Offender's Goods, by Warrant from two Justices of the Peace, to the Use of the Informer.

Stat. 9. Geo. II. cap. 37. § 1.

All Foreign made Sail-cloth entered as *Holland's* Duck or *Vinny* Canvas, which shall be fit for Sails, and which shall be imported, and for which Duties are payable, shall be stamped at the Time of landing.

§ 2. The Commissioners of the Customs shall provide Stamps, with which Foreign Sail-cloth, after Duty paid, shall be stamped, which Stamp shall express the Country from whence the Cloth was imported; and if any Person shall counterfeit any Stamp, or counterfeit the Impression of the same upon Foreign Sail-cloth, to defraud

the Duties, every Person so offending shall forfeit Fifty Pounds; and if any Person shall expose to sale such Foreign Sail-cloth with a counterfeit Stamp, such Offender shall forfeit Fifty Pounds.

§ 3. Every Maker of Sail-cloth shall affix on every Piece by him made a Stamp, containing the Name and Abode of such Maker; and if any Person shall expose to sale, or work up any Piece of *British* Sail-cloth, without being stamped, such Person shall forfeit Ten Pounds; and if any Person shall wilfully or maliciously cut off any Stamp so affixed, or shall affix any Stamp, on which shall be the Name or Place of Abode of any other Person, such Person shall forfeit Five Pounds, which shall go to the Informer.

§ 4. Every Ship which shall be built in *Great Britain*, and every Ship built in His Majesty's Plantations in *America*, shall, upon her first setting out, have one complete Set of Sails, made of Cloth manufactured in *Great Britain*; and in case such Ship shall not be fitted out as aforesaid, the Master shall forfeit Fifty Pounds.

§ 5. No Person shall make into Sails or Tarpaulins, any Foreign Sail-cloth not stamped; and in case any Person shall make up Foreign Sail-cloth other than as aforesaid, such Sails and Tarpaulins shall be forfeited; and such Person shall forfeit Twenty Pounds.

§ 6. All Sail-cloth made in *Great Britain*, shall be made in Manner prescribed in this Act. See the Act.

§ 7. In case any Bolt of *British* Sail-cloth shall be made of a different Breadth or Length, such Bolt shall be in Weight in proportion, and shall be marked with such Number, as shall be agreeable to the Weight; and the Wharp or Chain of the first six Numbers shall be wholly of double Yarn, and shall contain in every Bolt, that shall be twenty four Inches in Breadth, five hundred and sixty double Threads; and in every Bolt thirty Inches in breadth, seven hundred double threads;

and in every Bolt of any other Breadth, a Number of double Threads in proportion; and the Wharp and Shoot-yarn in every Bolt of the first four Numbers, shall be of long Flax, without any mixture of short Bar-flax, or of long Flax, or *Italian* Hemp, or *Braack* Hemp; and all the Flax and Hemp that shall be used in making the Wharp and Shoot-yarn of such Sail-cloth, of the aforefaid four Numbers, shall be of a strong Staple, good in its Kind, and well dressed; and the Yarn shall be well cleaned, even spun, and well twisted; and all the Shoot-yarn of each Bolt of the aforefaid four Numbers, shall be as strong as the Wharp-yarn, and close stuck with four Shoots of treble Threads, at the Distance of every two Feet; and both the Wharp and Shoot-yarn shall be as strong, as the Wharp and Shoot-yarn that are usually wrought in the Sail-cloth of those four Numbers that are made for His Majesty's Navy; and no Flax-yarn, wrought in *British* Sail-cloth, shall be whitened with Lime, on forfeiture of six Pence per Yard; or be worked up into new Sails in *Great Britain* any ways essentially different, or inferior to the aforefaid Directions.

§ 8. Every Maker shall cause this Act, or an Abstract thereof, to be put up in some publick Part of the Loft or Work-house where his Trade is carried on, under the Penalty of Forty Shillings.

§ 9. The Forfeitures herein imposed, shall be recovered by Action of Debt, &c. in any Courts of Record in *Great Britain*, or in such Plantations, wherein such Offence shall be committed; which Forfeitures shall be one Moiety to His Majesty, and the other Moiety to the Person who shall sue for the same.

#### Salt.

By the Act of 13, *Geo. I. cap. 5.* for encouraging the curing of Fish caught on the Coast of *Pensylvania*, it shall be

lawful to carry and import Salt from any Part of *Europe* into the Province of *Pensylvania* in *America*, in *British* Ships and Vessels, manned and navigated according to the Act of 12, *Car. II. cap. 18.*

By the Act of 3, *Geo. II. cap. 12.* the like Liberty is granted of importing Salt from *Europe* into the Province of *New York*; as is granted by the foregoing Act to the Province of *Pensylvania*.

#### Ships and Shipping.

*Stat. 12. Car. II. cap. 18. § 1.*

No Goods shall be imported into, or exported out of any Territories belonging to the King in *Asia*, *Africa*, or *America*, in other Vessels than such only as belong to the People of *England* or *Ireland*, or of any the said Territories, and whereof the Master, and three-fourths of the Mariners are *English*, on pain to lose such Goods and Vessel, with all its Furniture; one third to the King, one third to the Governor where such Default shall be, if seized there, otherwise that third also to the King, the other third to him that will seize or sue for the same: Commanders at Sea, having Commission from the King, are to bring in as prize, Vessels offending contrary hereunto; and in case of Condemnation, one Moiety shall be to the Use of such Commanders and their Companies, to be divided according to the Rules of the Sea, in case of prize, the other Moiety to the King.

§ 2. No Alien shall be a Merchant or Factor in any the said Places, on pain to lose all his Goods, or which are in his Possession; one third to the King, one third to the Governor of the Plantation, and the other third to any that will sue in any of the King's Courts there: All Governors of such Plantations shall take an Oath to do their utmost, that the Clauses aforementioned



mentioned be duly observed; and upon Complaint that such Governors have been wittingly negligent therein, the Governors so offending shall be removed.

§ 3. No Goods of the Growth or Manufacture of *Asia*, *Africa*, or *America*, shall be imported into *England* in other Vessels than *ut supra*, with Master and Mariners *ut supra*, on pain to forfeit all such Goods and Vessels; one Moiety to the King, and the other to him that will seize or sue for the same.

§ 4. No Goods of Foreign Growth or Manufacture, brought into *England* in *English* or other Shipping belonging to some of the aforesaid Places, and navigated as aforesaid, shall be brought from other Places than those of the Growth or Manufacture, or from those Ports where they can only, or usually have been shipped for Transportation, on pain to forfeit such Goods and the Vessel; one Moiety whereof to the King, the other Moiety to him that will seize or sue for the same.

§ 5. Dried or salted Fish, usually caught by the People of *England*, Cod-fish or Herring, Oil or Blubber made of any Fish, Whale-fins or Whale-bones imported into *England*, not having been caught in Vessels belonging thereto, and the Fish cured and dried, and the Oil and Blubber not made by the People thereof, shall pay double Aliens Customs.

§ 6. None shall load in any Bottom, whereof Strangers are Owners, Part-owners, or Master, and whereof three-fourths of the Mariners at least are not *English*, any Goods whatsoever, from one Port or Creek of *England*, to another Port or Creek of the same, on pain to forfeit such Goods and Vessel; one Moiety to the King, the other to him that will seize or sue for the same.

§ 7. Where any Abatement or Privilege is given in the Book of Rates to Goods imported or exported in Shipping built in *England*, or any of the King's Territories in *Asia*, *Africa*, or

*America*, it is to be understood, that the Master, and three-fourths of the Mariners be also *English*; and that they shall be such during the whole Voyage, unless in case of Sickness, Death, or being taken Prisoners, to be proved by Oath of the Master.

§ 8. No Goods of the Growth or Manufacture of *Muscovy*; no Masts, Timber, or Boards; no Foreign Salt, Pitch, Tar, Rozin, Hemp, Flax, Raisins, Figs, Prunes, Olive-oils; no Corn, Grain, Sugar, Pot-ashes, Wines, Vinegar, *Aqua Vita*, or Brandy-wine, shall be imported in any Vessel not belonging to, and navigated as aforesaid; no Goods of the Growth or Manufacture of the *Turkish* Empire, shall be imported in any Vessel not of *English* Built, and navigated as aforesaid, except Vessels of the Built of that Place, of which the Goods are, or of such Port where they can only be, or usually are shipped, and whereof the Master, and three-fourths of the Mariners are of the said Country, on pain to forfeit Ship and Goods; to be disposed of as aforesaid.

§ 9. All Wines of the Growth of *France* or *Germany*, which shall be imported into the Places aforesaid in any other Vessel than which doth belong to *England*, *Ireland*, &c. and is navigated as aforesaid; and all Masts, Timber, or Boards, Foreign Salt, Pitch, Tar, Rozin, Hemp, Flax, Raisins, Figs, Prunes, Olive-oils; all sorts of Corn or Grain, Sugar, Pot-ashes, Brandy-wine, or *Aqua Vita*, Wines of the Growth of *Spain*, the *Canaries*, or *Portugal*, *Madera*, or *Western* Islands; and all Goods of the Growth or Manufacture of *Muscovy* or *Russia*, all Currants and *Turkish* Commodities, imported in other than such Shipping, and so navigated, shall be deemed Aliens Goods, and pay accordingly.

§ 10. No Foreign built Vessel shall pass as a Ship belonging to *England*, till the Owner makes appear to the chief Officer of the Customs in the Port next to the Place of his Abode, that he

he is not an Alien, and take an Oath before such Officer, that it was *bona fide* bought, of whom, and who are his Part-owners, if any, and that no Foreigner hath any Share therein; and upon such Oath receives a Certificate under the Hand and Seal of the said Officer: The said Officer shall keep a Register of such Certificates, and return a Duplicate thereof to the chief Officers of the Customs of *London*, for those granted in *England*, *Wales*, and *Berwick*, and to the chief Officers of the Customs of *Dublin*, for those granted in *Ireland*; with the Names of the Persons of whom such Ship was bought, the Sum paid, and the Names of the Part-owners.

§ 11. If any Officer of the Customs allow the Privilege of an *English* built Ship, until Examination, whether the Master, and three-fourths of the Mariners be *English*, or to any Foreign built Ship, bringing in the Commodities of the Growth of the Country where it was built, the Privilege by this Act given, till Examination, whether it be of the Built of that Country, and the Master, and three-fourths of the Mariners be of that Country; or if any Governor of any Territories in *Asia*, *Africa*, or *America*, suffer any Foreign built Vessel to load or unload Goods, such Officer of the Customs and Governor shall be put out of their Places.

§ 12. Commodities of the *Streights* may be imported from the usual Places of lading them; and *East-india* Commodities from the usual Places of lading them, in any Part to the Southward and Eastward of *Cabo bona Esperanza*, though they are not the very Places of their Growth: The People of *England* may bring in from *Spain* or *Portugal*, *Azores*, *Madera*, or *Canary* Islands, all Commodities of the Growth or Manufacture of either of them respectively.

§ 13. This Act shall not extend to Bullion, nor Goods taken by Repri-  
sal by Ships belonging to *England*, &c. and navigated as aforesaid, and having

commission from the King; nor to Seal-oil of *Russia*, imported from thence into *England*, *Ireland*, &c. in Shipping belonging to the said Places, and navigated as aforesaid.

§ 18. No Sugars, Tobacco, Cotton-wool, Indigoes, Ginger, Fustick, or other dying Wood of the Growth of any *English* Plantations, shall be transported to any Place, other than to some *English* Plantation, or to *England*, on pain to forfeit them, or the Value, and the Ship, with her Furniture; one Moiety to the King, the other to him that will seize or sue for the same.

§ 19. For every Vessel which sets out for any of the said Plantations, Bond shall be given, with one Security, to the chief Officers of the Custom-house of the Place from whence it sails, of One thousand Pounds, if the Ship be less than of the Burthen of one hundred Tons, and of Two thousand Pounds, if of greater Burthen; that if the said Vessel load any of the said Commodities at such Plantations, it shall bring them to some Port of *England*, *Ireland*, &c. and all Ships coming from any other Port to those Plantations, the Governors, before the Ship be permitted to load, shall take Bond, as aforesaid, that it shall carry them to some other *English* Plantations, or to *England*, *Ireland*, &c. and every Ship taking on board any of the aforesaid Goods before such Bond given, or Certificate produced from some Custom-house in *England*, &c. of such Bond there given, shall be forfeited; to be employed and recovered, *ut supra*: And the said Governors shall twice in every Year return true Copies of such Bonds to the chief Officers of the Customs in *London*.

Stat. 13. & 14. Car. II. cap. 11. § 6.

Whereas it is required by the Statute of 12. Car. II. cap. 18. that in sundry Cases the Master, and three-fourths of the Mariners should be *English*, any of the King's Subjects of  
*England*,



England, Ireland, and His Majesty's Plantations, are to be accounted *English*, and no others; and the Number of Mariners accounted, according to what they shall have been during the whole Voyage.

Stat. 22. & 23. Car. II. cap. 26. § 11.

The Word *Ireland* shall be left out of all Bonds taken in pursuance of the Statute of 12. Car. II. cap. 18. — Every Vessel that shall take on board any of the Commodities there mentioned at any of the Plantations, until such Bond given, or Certificate produced, that such Bond hath been given; or which shall carry the said Goods to any Place contrary to such Bond, shall be forfeited, with all her Guns, Ammunition, Furniture, and Lading; one Moiety to the King, the other Moiety to him who will seize or sue for the same in any of the said Plantations, in the Court of the high Admiral of *England*, or Vice-admiral, or any Court of Record in *England*.

§ 12. The Governors of Plantations shall, once a Year at least, return to the Officers of the Custom-house in *London*, a List of such Vessels as shall lade any of the said Commodities in such Plantations, and of such Bonds taken: And if any Ship belonging to any of the said Plantations, having on board any Sugars, Tobacco, Cotton-wool, Indigoes, Ginger, Fustick, or other dying Wood, shall unlade it in any other Place of *Europe* than *England*, such Vessel shall be forfeited, with her Ammunition, Furniture, and Lading; to be recovered and divided as aforesaid.

§ 13. Any Person may prosecute such Ship in any Court of Admiralty in *England*.

**Sugar Colonies encouraged.**

Stat. 6. Geo. II. cap. 13. § 11.

There shall be paid upon all Rum

or Spirits, of the Produce of any Colonies not under the Dominion of His Majesty, which shall be imported into any of the Plantations, the Sum of nine Pence for every Gallon; and upon Molosses, or Syrups of Foreign Produce, six Pence for every Gallon; and upon Sugars, and Paneles of Foreign Produce, five Shillings for every hundred weight.

§ 2. Upon Importation of such Goods into any of the Plantations, an Entry shall be made with the proper Officer of the Customs, Impost, or Excise; and the Duties hereby imposed, shall be paid down in ready Money by the Importer before the landing.

§ 3. In case any of the said Commodities shall be landed before due Entry, and before the Duties shall be paid, or without a Warrant for landing the same, signed by the proper Officer, such Goods shall be forfeited; and all such Goods may be seized by the Governor, or by any Custom-house, Impost, or Excise-officer; and every such Offence may be prosecuted in any Court of Admiralty, or in any Court of Record in the said Plantations, where such Offence is committed; and such Forfeitures shall be divided as follows; viz. One third Part to His Majesty, one third Part to the Governor, and the other third Part to the Informer.

§ 4. No Sugars, Paneles, Syrups, or Molosses, nor any Rum, or Spirits of *America*, except of the Growth of His Majesty's Sugar Colonies, shall be imported into *Ireland*, but such only as shall be shipped in *Great Britain* in Ships navigated according to Law, under the Penalty of forfeiting all such Sugar, Paneles, Syrups, or Molosses, Rum, or Spirits, together with the Ship in which the same shall be imported, and may be seized by the Lord Lieutenant, or Lords Justices, or by Warrant of any other Magistrate, or by any Custom-house, or Excise-officer; and all Offences against this Act

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may

may be prosecuted in any of His Majesty's Courts of Record at *Westminster*, or in *Dublin*; and the Forfeitures recovered shall be divided; viz. One Moiety to His Majesty, and the other Moiety to the Informer.

§ 5. If any Person shall assist in running such Goods into *Ireland*, or any of the Plantations, or shall receive such Goods so run, such Person shall forfeit treble the Value thereof.

§ 6. If any Person shall hinder any Custom-house, Impost, or Excise-officer in the Execution of their Duty, in seizing the Commodities aforementioned, he shall forfeit Fifty Pounds, and shall also be liable to be prosecuted, by Indictment or otherwise, and shall be imprisoned for three Months: And if any Officer, or their Assistants, shall be sued for any thing done in Execution of this Act, they may plead the general Issue: And if any Officer of the Customs or Excise in *Ireland*, or in the Plantations, shall connive at the Importation of the Commodities aforementioned, or shall seize any of the said Commodities, and by Fraud delay the Prosecution, he shall forfeit Fifty Pounds, and be incapable of holding any Office under His Majesty.

§ 7. If any Master of any Ship shall take in any Sugar, &c. to be imported into *Ireland*, or any of His Majesty's Plantations, contrary to this Act, such Master shall forfeit One hundred Pounds.

§ 8. Upon all Suits for Importation of any of the Commodities aforementioned, the *Ovis probandi* shall lie on the Claimer.

§ 9. In case any Sugar or Paneles of the Produce of any of the Colonies belonging to His Majesty, which shall have been imported into *Great Britain*, shall at any time, within one Year after the Importation, be again exported, and due Proof made, by Certificate from the proper Officers, of the Exportation, and Payment of the Duties upon Exportation, together with the Oath

of the Merchant, or his Agent, importing and exporting the same, the Residue of the Duty shall be repaid within one Month.

§ 10. For every hundred weight of Sugar refined in *Great Britain*, which shall be exported, there shall be repaid at the Custom-house to the Exporter, within one Month after Demand, over and above the several Sums of three Shillings and one Shilling *per* Hundred, payable by two former Acts of Parliament; viz. 9. & 10. *W. III. cap. 23.* and 2. & 3. *Ann. cap. 9.* the further Sum of two Shillings, Oath or solemn Affirmation being made by the Refiner, that the Sugar so exported was produced from brown and *Muscovado* Sugar, and (as he believes) was imported from some of the Plantations belonging to the Crown of *Great Britain*, and that the Duty of the said Sugar was paid at the Importation thereof, and that the same was duly exported; His Majesty's Searcher also certifying the shipping thereof, and all other Requisites being duly performed, according to the Book of Rates.

§ 11. All Suits for any Offence against this Act, shall be brought within two Years after such Offence committed.

§ 12. The Expence of prosecuting any Offence against this Act, shall be paid out of the Shares of the Forfeitures given to His Majesty.

§ 13. Nothing herein contained shall restrain the Importation of Sugars of the Produce of the Dominions of *Spain* or *Portugal*, from any Place from whence such Sugars might lawfully have been imported before the making this Act.

#### Union.

By an Act for the Union of the two Kingdoms of *England* and *Scotland*, 5. *Ann.* Article 4. it is enacted, That all the Subjects of the united Kingdom of *Great Britain*, shall, from and after the Union, have full Freedom and Intercourse



Intercourse of Trade and Navigation, to and from any Port or Place within the said Kingdom, and the Dominions and Plantations thereunto belonging; and that there be a Communication of all other Rights, Privileges, and Advantages, which do or may belong to the Subjects of either Kingdom, except where it is otherwise expressly agreed in these Articles.

**Wood.**

Stat. 8. Geo. I. cap. 12. § 2.

All Persons who shall import into Great Britain, directly from any of His Majesty's Plantations in America, in any Ship which may lawfully trade thither, and which shall be navigated according to Law, any sort of Wood, Plank, or Timber, or any of the Goods called Lumber; viz. Deals of several sorts, Timber-balks of several sizes, Barrel-boards, Clap-boards, Pipe-boards, or Pipe-holt, White-boards for Shoemakers, Broom and Cant-spars, Bow-staves, Capravens, Clap-holt, Ebony-wood, Headings for Pipes, and

for Hogheads and Barrels, Hoops for Coopers, Oars, Pipe and Hogheads-staves, Barrel-staves, Firken-staves, Trunnels, Speckled-wood, Sweet-wood, small Spars, Oak-planks, and Wainscot, being of the Growth and Product of the said Plantations (except Mafts, Yards, and Bowsprights, touching which Duties and Premiums are ascertained by former Acts) may import the same free from all Customs and Importations whatsoever.

**Wool.**

Stat. 10. & 11. W. III. cap. 10. § 19.

No Wool, Wool-fels, Yarn, Cloth, or Woollen Manufactures of the English Plantations in America, shall be shipped in any of the said English Plantations, or otherwise loaden, in order to be transported thence to any Place whatsoever, under the same Penalties and Forfeitures: And the Governors of the Plantations, and Officers of the Customs and Revenues there, are to see this Act, as it relates to the Plantations, duly executed.

**F I N I S.**

for Hogsheads and Barrels Hoops for  
Coopers, Gun Pipes and Hogsheads  
Bales, Barrel Staves, Fish-bones  
Ironed, 3 cented - wood, Sweet-  
wood, Ironed, 3 cented - wood, Sweet-  
wood, being of the Crown and  
Product of the said Kingdoms (ex-  
cept Malt, Tallow, and Bone Grease)  
concerning which the said Acts and Statutes  
are amended by former Acts may  
import the same from all Countries  
and Importations in this year.

Enacted

That on the 11th W. III. cap. 10. § 12.

The said Wood, being of the Crown  
or Western Manors, and of the said  
said Kingdoms in this year, shall be  
shipped in any of the said Kingdoms  
or otherwise landed, in order  
to be transported to any Place  
wherever, under the said Acts and Statutes  
and Regulations: And the Governors  
of the Plantations, and Officers of the  
Customs and Revenue there, are to  
execute the said Act, as it relates to the Plantations, duly executed.

In testimony whereof, the said Statute  
and the said Acts and Statutes  
are hereby amended by former Acts  
may import the same from all Countries  
and Importations in this year.

Enacted on the 11th W. III. cap. 10. § 12.

That on the 11th W. III. cap. 10. § 12.  
The said Wood, being of the Crown  
or Western Manors, and of the said  
said Kingdoms in this year, shall be  
shipped in any of the said Kingdoms  
or otherwise landed, in order  
to be transported to any Place  
wherever, under the said Acts and Statutes  
and Regulations: And the Governors  
of the Plantations, and Officers of the  
Customs and Revenue there, are to  
execute the said Act, as it relates to the Plantations, duly executed.

last words of the said Statute  
shall be amended by former Acts  
may import the same from all Countries  
and Importations in this year.

Enacted

That on the 11th W. III. cap. 10. § 12.

The said Wood, being of the Crown  
or Western Manors, and of the said  
said Kingdoms in this year, shall be  
shipped in any of the said Kingdoms  
or otherwise landed, in order  
to be transported to any Place  
wherever, under the said Acts and Statutes  
and Regulations: And the Governors  
of the Plantations, and Officers of the  
Customs and Revenue there, are to  
execute the said Act, as it relates to the Plantations, duly executed.

In testimony whereof, the said Statute  
and the said Acts and Statutes  
are hereby amended by former Acts  
may import the same from all Countries  
and Importations in this year.

Enacted on the 11th W. III. cap. 10. § 12.

That on the 11th W. III. cap. 10. § 12.  
The said Wood, being of the Crown  
or Western Manors, and of the said  
said Kingdoms in this year, shall be  
shipped in any of the said Kingdoms  
or otherwise landed, in order  
to be transported to any Place  
wherever, under the said Acts and Statutes  
and Regulations: And the Governors  
of the Plantations, and Officers of the  
Customs and Revenue there, are to  
execute the said Act, as it relates to the Plantations, duly executed.

Enacted

By an Act for the Union of the two  
Kingdoms of England and Scotland,  
1. Geo. Article 4. it is enacted, That  
all the Subjects and Inhabitants of Great Britain, that, from and after  
the said Union, have and shall have the same  
Rights and Privileges as the Subjects and Inhabitants of England.



# A LIST

Of the several Acts of Parliament from whence  
the foregoing Abridgment is taken.

Dates of the  
Acts.

Heads in the  
Abridgment  
under which  
the Acts are  
placed.

Several Clauses in

12 Car. II:  
cap. 18. **A**N Act for the encouraging and encreasing of Ship-  
ping and Navigation.

Several Clauses in

13 & 14 Car.  
II. cap. 11. An Act for preventing Frauds, and regulating Abuses in  
the Customs.

Several Clauses in

14 Car. II.  
cap. 7. An Act for the Encouragement of Trade.

Three Clauses in

22 & 23 Car.  
II. cap. 1. An Act to prevent planting of Tobacco in England; and  
for regulating the Plantation Trade.

Six Clauses in

25 Car. II.  
cap. 7. An Act for the Encouragement of the Greenland and  
Eastland Trades; and better securing the Plantation Trade.

Several Clauses in

7 & 8 W. III.  
cap. 22. An Act for preventing Frauds, and regulating Abuses in  
the Plantation Trade.

One Clause in

10 & 11 W.  
III. cap. 10. An Act to prevent the Exportation of Wool out of Ireland  
and England into Foreign Parts; and for the Encourage-  
ment of the Woollen Manufacture in the Kingdom of England.

10 & 11 W.  
III. cap. 1. An Act to encourage the Trade to Newfoundland.

11 & 12 W.  
III. cap. 7. An Act for the more effectual Suppression of Piracy.

11 & 12 W.  
III. cap. 12. An Act to punish Governors of Plantations in this King-  
dom, for Crimes by them committed in the Plantations.

12 W.  
III. cap. 1. An Act for giving full Liberty for giving full Liberty  
of navigation of naval Stores; and for other Purposes therein men-  
tioned.

Two



# A LIST, &c.

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Dates, &c.

8 Geo. I. cap.  
15.

Two Clauses in

An Act for Encouragement of the Silk Manufactures of this Kingdom, &c. and for Importation of all Furrs of the Product of the British Plantations into this Kingdom only, &c.

Heads, &c.

Plantation Trade.

8 Geo. I. cap.  
18.

An Act to prevent the clandestine running of Goods, &c. and to subject Copper Ore, of the Production of the British Plantations, to such Regulations as other enumerated Commodities of the like Production are subject to.

Plantation Trade.

8 Geo. I. cap.

An Act for the more effectual Suppression of Piracy.

Piracy.

24-  
10 Geo. I.  
cap. 16.

An Act for encouraging the Greenland Fishery.

Fishery.

One Clause of

12 Geo. I.  
cap. 16.

An Act for repealing the Duties laid upon Snuff, &c. and for giving further Encouragement to the Greenland Fishery.

Fishery.

13 Geo. I.  
cap. 5.

An Act for importing Salt from Europe into the Province of Pennsylvania in America.

Salt.

2 Geo. II.  
cap. 18.

An Act to revive the Laws therein mentioned, &c. for making Copper Ore, of the British Plantations, an enumerated Commodity; for making perpetual an Act therein mentioned for Suppression of Piracy, &c.

Several Clauses in

2 Geo. II.  
cap. 35.

An Act for the better Preservation of His Majesty's Woods in America; and for the Encouragement of the Importation of naval Stores from thence, &c.

Naval Stores.

3 Geo. II.  
cap. 12.

An Act for importing Salt from Europe into the Colony of New York in America.

Salt.

3 Geo. II.  
cap. 28.

An Act for granting Liberty to carry Rice from His Majesty's Province of Carolina in America directly to any Part of Europe, to the Southward of Cape Finisterre, in Ships built in and belonging to Great Britain, and navigated according to Law.

Plantation Trade.

4 Geo. II.  
cap. 15.

An Act for importing from His Majesty's Plantations in America directly into Ireland, Goods not enumerated in any Act of Parliament.

Irish Trade.

4 Geo. II.  
cap. 27.

An Act for further encouraging the Manufacture of British Sail cloth, by taking off the Duties and Drawbacks therein mentioned; and allowing an additional Bounty, &c.

Sail-cloth.

5 Geo. II.  
cap. 7.

An Act for the more easy Recovery of Debts in His Majesty's Plantations and Colonies in America.

Debts.

5 Geo. II.  
cap. 22.

An Act to prevent the Exportation of Hats out of any of His Majesty's Colonies or Plantations in America; and to restrain the Number of Apprentices taken by Hat-makers in the said Colonies or Plantations; and for the better encouraging the making Hats in Great Britain.

Hats.

An

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*1 Geo. II. cap. 24.* *An Act for encouraging the Growth of Coffee in His Majesty's Plantations in America.* *Heads, &c. Coffee.*
- 2 Geo. II. cap. 28.* *An Act for encouraging the Greenland Fishery.* *Fishery.*
- 3 Geo. II. cap. 29.* *An Act for reviving an Act of 5 Geo. I. for better securing the lawful Trade of His Majesty's Subjects to and from the East Indies, &c.* *East India.*
- 6 Geo. II. cap. 13.* *An Act for the better securing and encouraging the Trade of His Majesty's Sugar Colonies in America.* *Sugar.*
- 8 Geo. II. cap. 19.* *An Act to continue an Act for granting Liberty to carry Rice from His Majesty's Province of Carolina in America, &c. and to extend that Liberty to His Majesty's Province of Georgia in America.* *Plantation Trade.*
- 9 Geo. II. cap. 37.* *An Act for encouraging and regulating the Manufacture of British Sail-cloth, &c.* *Sail-cloth.*

F I N I S

MVSEVM

BRITANNICVM



